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JOURNAL

OF THE

INDIANA STATE SENATE,

DURING THE

FORTY-FIRST SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING THURSDAY, JANUARY 10, 1861.

INDIANAPOLIS:

BERRY R. SULGROVE, STATE PRINTER.

1861.





JOURNAL

OF THE

SENATE OF INDIANA.

The Forty-First Session of the General Assembly of the State of Indiana, begun and held at the Capital, in the City of Indianapolis, on Thursday, the 10th day of January, in the year of our Lord, one thousand eight hundred and sixty-one.

James H. Vawter, Principal Secretary of the Senate, directed a call of the Senators whose offices had not become vacated since the last session of the General Assembly, whereupon the following Senators answered to their names and took their seats, to-wit:

From the county of Allen—Allen Hamilton.

From the county of Bartholomew—Smith Jones.

From the counties of Clinton and Carroll—James Odell.

From the counties of Crawford and Orange—Quinton Lomax.

From the county of Dearborn—Cornelius O'Brien.

From the county of Floyd—DeWitt C. Anthony.

From the county of Franklin—Aaron B. Line.

From the counties of Greene and Owen—Jason N. Conley.

From the county of Jefferson—John R. Cravens.

From the counties of Knox and Daviess—James D. Williams.

From the counties of Lake, Porter, and Jasper—David Turner.

From the counties of Madison and Grant—Harvey Craven.

From the counties of Martin and Lawrence—Thomas R. Cobb.

From the counties of Monroe and Brown—William C. Tarkington.

From the counties of Ohio and Switzerland—Benjamin L. Robinson.

From the counties of Parke and Vermillion—George K. Steele.
From the counties of Posey and Vanderburgh—Magnus T. Carnahan.

From the county of Tippecanoe—Moses C. Culver.
From the counties of Wabash and Kosciusko—James D. Conner.
From the counties of Whitley and Huntington—James R. Slack.
From the counties of Warren, Benton, and White—George D. Wagner.

From the counties of Warrick, Spencer and Perry—John C. Shoemaker.

From the county of Wayne—Othniel Beeson.

The Secretary then directed a call of the Senators elected since the last session of the General Assembly; whereupon the following Senators answered to their names, presented their credentials, and were sworn into office by Hon. Jehu T. Elliott, Judge of the 11th Circuit.

From the counties of Cass, Howard, and Pulaski—Richard P. DeHart.

From the counties of Clark and Scott—Charles P. Ferguson.
From the counties of Clay and Putnam—Archibald Johnston.
From the county of Decatur—Richard Robbins.
From the counties of Delaware and Blackford—Walter March.
From the counties of Fayette and Union—Benjamin F. Claypool.
From the county of Fountain—Henry Campbell.
From the counties of Gibson, Dubois and Pike—Thomas Shoulders.
From the counties of Hamilton and Tipton—George B. Grubb.
From the counties of Hendricks and Boone—Solomon Blair.
From the county of Henry—Joshua H. Mellett.
From the counties of Johnson and Morgan—Franklin Landers.
From the counties of LaGrange and Elkhart—Charles L. Murray.
From the counties of Laporte and Starke—Abraham Teegarden.
From the county of Marion—Horatio C. Newcomb.
From the counties of Miami and Fulton—Daniel R. Bearss.
From the county of Montgomery—Michael D. White.
From the counties of Noble, DeKalb and Steuben—Timothy R. Dickinson.

From the county of Randolph—Asahel Stone.
From the county of Ripley—James S. Hull.
From the county of Rush—Edward H. M. Berry.
From the counties of Shelby and Hancock—Martin M. Ray.
From the counties of St. Joseph and Marshall, (to fill a vacancy occasioned by the death of Rufus Brown,)—John F. Miller.
From the counties of Vigo and Sullivan—Henry K. Wilson.
From the counties of Washington and Harrison—Simeon K. Wolfe.

The Secretary then called the roll of Senators to ascertain if a quorum was present:

Whereupon the following Senators answered to their names :

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robbins, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe.—48

Hon. Abram A. Hammond, Lieutenant Governor, having, by virtue of the death of Hon. Ashbel P. Willard, become Governor of the State;

On motion by Mr. Wagner,
The Senate proceeded to the election of a President thereof.

Mr. Wagner put in nomination John R. Cravens, Senator from the county of Jefferson.

Mr. Slack put in nomination Aaron B. Line, Senator from the county of Franklin.

Those who voted for Mr. Cravens were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Culver, Dehart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—27.

Those who voted for Mr. Line were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—19.

Mr. Cravens having received a majority of all the votes given, was thereupon declared duly chosen President of the Senate.

Whereupon the Secretary appointed Senators Slack and Wagner a committee to conduct the President elect to his seat.

Mr. Cravens came forward, and after briefly addressing the Senate, took the Chair.

On motion by Mr. Wagner,
The Senate proceeded to the election of its officers by a *viva voce* vote.

Mr. Wagner put in nomination James N. Tyner, of Miami county, for Principal Secretary of the Senate.

Mr. Slack put in nomination Charles J. Barker, of Jefferson county, for the same position.

Those who voted for James N. Tyner were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White—28.

Those who voted for Mr. Barker were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—20.

Mr. Tyner having received a majority of all the votes cast, was thereupon declared duly elected Principal Secretary of the Senate to serve as such during the present session;

Whereupon, Mr. Tyner took the oath of office, and entered upon the discharge of his duties.

Mr. Murray put in nomination Francis P. Griffith, of LaGrange county, for Assistant Secretary of the Senate.

Mr. Slack put in nomination E. E. Rose, of Greene county, for the same position.

Those who voted for Francis P. Griffith were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—28.

Those who voted for E. E. Rose were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—20.

Mr. Griffith having received a majority of all the votes cast, was thereupon declared duly-elected Assistant Secretary of the Senate to serve as such during the present session.

Whereupon, Mr. Griffith took the oath of office, and entered upon the duties thereof.

Mr. Conner put in nomination Samuel G. Thompson, of Wabash county, for Principal Doorkeeper of the Senate.

Mr. Slack nominated George W. Griffith, of Marion county, for the same position.

Those who voted for Mr. Thompson were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—28.

Those who voted for Mr. Griffith were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnson, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—20.

Mr. Thompson having received a majority of all the votes cast, was thereupon declared duly elected Principal Doorkeeper of the Senate, to serve as such during the present session.

Whereupon, Mr. Thompson took the oath of Office and entered upon the discharge of his duties.

Mr. Blair put in nomination Richard H. Litson, of Jefferson county, for Assistant Doorkeeper of the Senate.

Mr. Slack nominated George W. Patterson, of Perry county, for the same position.

Those who voted for Mr. Litson were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—28.

Those who voted for Mr. Patterson were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—20.

Mr. Liston having received a majority of all the votes cast, was thereupon declared duly elected Assistant Doorkeeper of the Senate, to serve as such during the present session.

Whereupon, Mr. Litson took the oath of office, and entered upon the discharge of his duties.

On motion by Mr. Slack,

Resolved, That the Secretary be instructed to inform the House that the Senate has organized by the election of Hon. John R. Cravens, of Jefferson county, President; James N. Tyner, of Miami, Principal Secretary; Francis P. Griffith, of LaGrange, Assistant Secretary; Samuel G. Thompson, of Wabash, Principal Doorkeeper, and Richard H. Litson, of Jefferson, Assistant Doorkeeper; and that the Senate is ready to proceed to legislative business.

Mr. Wagner offered the following resolution :

Resolved, That all resolutions, motions, propositions and petitions, having reference to the present condition of our national affairs, be referred, without debate, to the Committee on Federal relations.

• Mr. Slack moved to lay the resolution on the table.

The ayes and noes being demanded by Senators Slack and Carnahan,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnson, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—20.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—28.

So the resolution was not laid on the table.

Mr. Tarkington moved to postpone the consideration of the resolution until Tuesday next at 10 o'clock A. M., and make it the special order for that hour.

Mr. Wagner moved to lay the motion to postpone upon the table.

The ayes and noes being demanded by Senators Carnahan and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—29.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnson, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—19.

So the motion to postpone was laid upon the table.

Mr. Wagner moved the previous question, which was seconded by the Senate.

The question being, shall the main question be now put?

The ayes and noes were demanded by Senators Carnahan and Johnson.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb,

Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—29.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolf—19.

So the previous question was ordered.

The question being, shall the resolution be adopted?

The ayes and noes were demanded by Senators Carnahan and Tarkington.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Jones, Landers, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—30

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnson, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—18.

So the resolution was adopted.

On motion by Mr. Johnston,

Resolved, That the rules adopted for the government of the Senate at the last session, be adopted for the government of this Senate, until altered or amended, and the Doorkeeper furnish each member of the Senate with a copy.

BILLS INTRODUCED.

Mr. March introduced

Senate Bill No. 1. A bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State,

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Line,

Resolved, That a select committee of three be appointed to examine the rules that were adopted at the last session of the Senate for its government, and to make such alterations by abridging or enlarging as may seem necessary to adapt them to the government of the present Senate.

The President appointed Senators Line, March and Conner said select committee.

On motion by Mr. Line,

Resolved, That the Doorkeeper be required to place on the desk of each Senator the Journals of the last session of the Senate and House, and a copy of the Revised Statutes.

On motion by Mr. Conley,

Resolved, That a committee of three be appointed on the part of the Senate, to act with a similar committee on the part of the house, to wait upon the Governor and learn of him at what time he will be ready to deliver his message.

Senators Conley, Ray and Slack were appointed said committee.

On motion by Mr. Williams,

It was ordered

That when the Senate adjourn, it adjourn to meet at 9 o'clock A. M. on to-morrow.

A message from the House by Mr. Gordon, Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution, viz:

Resolved, That the Senate be informed that the House of Representatives have convened, formed a quorum, and organized by the election of the Hon. Cyrus M. Allen, of Knox, as Speaker, Jonathan W. Gordon, of Marion, as Principal Clerk, Azel P. Newkirk, of Fa-

yette, Assistant Clerk, and James P. Johnson, of Putnam, Doorkeeper, and that they are now ready to proceed to legislative business.

MR. PRESIDENT:

I am further directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That a committee of three be appointed, to act with a like committee on the part of the Senate, to wait upon his Excellency the Governor, and inquire of him when it would be convenient for him to deliver his message to the General Assembly.

On motion of Mr. Newcomb,

It was ordered

That the Secretary of the Senate inform the House that Senators Conley, Slack and Ray were appointed a committee on the part of the Senate, to act with a like committee on the part of the House, to wait upon his Excellency the Governor.

On motion by Mr. Turner,

Resolved, That the Doorkeeper be instructed to provide seats inside the bar for such Reporters of the various papers as may desire them for the purpose of reporting.

On motion by Mr. Anthony,
The Senate adjourned.

FRIDAY MORNING 9 o'CLOCK, }
January 11, 1861.

The Senate met.

The journal of yesterday was read.

Hon. Meedy W. Shields, Senator from the counties of Jennings and Jackson, appeared, was qualified, and took his seat as Senator.

A message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has appointed Messrs. Orr, Brett and Nebaker, a Committee to act with a similar Committee of the Senate, to wait upon some clergyman of this city, to request his services to open the General Assembly with prayer at two o'clock to-day.

Mr. Conley, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee appointed by the Senate, to act with a similar Committee on the part of the House, to wait upon His Excellency the Governor, and to see at what time it would be convenient for him to communicate his message to this General Assembly, have performed that duty, and beg leave to report, that it will suit his convenience to attend to that duty in the Hall of the House to-day, at two o'clock P. M.

RESOLUTIONS.

On motion by Mr. Anthony,

Resolved, That a committee of three be appointed to consider and report to this body, as early as possible, a plan for the procurement of stationery for the use of the Senate, the proper means of preserving and distributing the same, together with such other matters in connection therewith as to them may seem proper.

The President appointed Senators Anthony, Conner and Johnston, a committee in accordance with said resolution.

On motion by Mr. Murray,

Resolved, That a committee on the part of the Senate, (to act with a similar committee on the part of the House,) be appointed to procure some clergyman of this city to attend the joint meeting of the two houses to-day at 2 o'clock P. M., to open the proceedings of the Legislature with prayer.

Senators Murray, Turner and Hamilton were appointed said committee.

On motion by Mr. Conner,

Resolved, That the Committee on the State Prison be instructed to inquire whether the interest of the State has been consulted in the location of the proposed new State Prison at Michigan City by the Commissioners appointed to locate the same; what part of the fifty thousand dollars appropriated has been expended, and for what purpose; what contracts have been entered into by said Commissioners in relation to the erection of said Prison; with whom; whether the contract or contracts so entered into at the lowest responsible bid; what work has been done under any such contracts; in what manner has the same been done; what will be the probable cost of the completion of the contemplated Prison, according to the plan adopted, and the contract price; and that said committee be authorized to send for persons and papers, and that said information be reported as soon as practicable.

On motion by Mr. March,

Resolved, That the Committee on Public Printing be instructed to inquire into the expediency of abolishing the office of State Printer, and letting the State Printing to the lowest responsible bidder, and that they report by bill or otherwise.

Mr. Lomax offered the following resolution :

WHEREAS, In our opinion the institution of slavery in the United States affords no just grounds for the dissensions now existing between the Northern and Southern States of this confederacy, which now so seriously threaten the safety of the American Government, therefore,

Be it Resolved, That to avert the calamities of civil war, we earnestly recommend the repeal of all such laws as conflict with the law of Congress, known and recognized as the Fugitive Slave Law.

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Cobb offered the following resolution :

Resolved, That the Doorkeeper be directed to contract for, and place upon the desks of the Senators and officers of the Senate, three copies each of the Daily State Journal, and Daily State Sentinel; also, three copies of the Weekly American and Volksblatt; two of the aforesaid papers to be wrapped and stamped ready for mailing.

Mr. Johnston moved to amend the resolution by striking out the words "also three copies of the Weekly American and Volksblatt."

Mr. Anthony offered the following amendment to the amendment:

"That a committee of three be appointed to inquire into and report upon, the expediency of procuring newspapers—what papers ought to be procured, if any, and the number of copies of each."

The question being taken upon the amendment to the amendment, the same was adopted, and

Senators Anthony, Johnston and Murray, were appointed a committee in accordance with the resolution.

On motion of Mr. Slack,

Resolved, That the Doorkeeper procure for the use of the Senate, three dollars worth of postage stamps for each Senator.

Mr. Turner offered the following preamble and resolution:

WHEREAS, It becomes man under all circumstances to recognize the hand of an overruling Providence, and whereas, at this particular time, when the peace and prosperity of our common country seems to be imperiled, and it is but just and reasonable, that we should at all times ask and implore divine protection and guidance, therefore be it

Resolved, That the resident clergy of the city of Indianapolis be, and are hereby respectfully invited, to meet alternately at the Senate Chamber each morning at 9 o'clock, and open the deliberations of this body with prayer; and that the Doorkeeper be requested to inform the clergy of the passage of this preamble and resolution.

Mr. Slack moved to lay the resolution on the table,
Which was not agreed to.

The question being, shall the resolution be adopted?
It was not agreed to.

Mr. Tarkington offered the following joint resolution:

"A joint resolution of instructions upon the political questions that are now agitating the country."

Which, under the rule, was referred to the Committee on Federal Relations.

Message from the House by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has adopted the following resolution:

Resolved, That the Senate be invited to the Hall of the House at 2 o'clock P. M. this day, for the purpose of opening the General Assembly with prayer, in accordance with a resolution of the House this day adopted, and that seats be provided for the Senate, on the right of the Speaker's chair, and that the Clerk inform the Senate of the adoption of this resolution.

Which was concurred in.

BILLS INTRODUCED.

Mr. Slack introduced

Senate Bill No. 2. A bill to repeal an Act entitled "An Act to establish Courts of Conciliation; to prescribe rules and proceedings therein, and compensation of Judges thereof."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cobb introduced

Senate bill No. 3. A bill to amend Sec. 18 of an Act entitled "an Act prescribing the powers and duties of Justices of the Peace," approved May 29th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. March introduced

Senate bill No. 4. A bill regulating the public printing of the State of Indiana, and fixing the compensation therefor, prescribing the duties of certain officers therein named, and to abolish the office of State Printer, and repeal all laws in conflict with this bill.

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Newcomb introduced

Senate bill No. 5. A bill to amend sec. 238 of an Act entitled "an Act to revise, simplify and abridge the Rules, Practice, Pleadings and Forms in Civil Cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 8th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate bill No. 1 was read a second time.

On motion by Mr. Tarkington,
The bill was laid upon the table, and two hundred copies thereof ordered to be printed.

A message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has appointed Messrs. Nebaker, Bundy and Wilson to act with a like committee on the part of the Senate, to wait upon His Excellency the Governor, and enquire when it would be convenient for him to deliver his message to the General Assembly.

On motion by Mr. Turner,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

A message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following resolution :

Resolved, That the Senate be invited to attend in the Hall of the House instantler to meet in joint convention for the purpose of opening this General Assembly with prayer, and to receive the message of His Excellency the Governor, and that seats are prepared for the Senate upon the right of the Speaker's chair.

Leave being granted, Mr. Line presented a petition from sundry citizens of Franklin county, for the passage of a law authorizing County Treasurers to purchase dockets for Justices of the Peace, in civil and criminal cases.

Which, on motion,
Was referred to a Select Committee of three ; and

The President appointed Senators Line, Steele and Hamilton said Committee.

REPORTS FROM SELECT COMMITTEES.

Mr. Murray, from a Select Committee, made the following report :

MR. PRESIDENT :

The Committee on the part of the Senate to procure the services of some clergyman of this city to open the proceedings of the Legislature with prayer this day at 2 o'clock P. M., discharged that duty, (in conjunction with a similar Committee on the part of the House,) and authorize me to report that the Rev. Gilbert Small, of Indianapolis, will perform the services required.

Which was concurred in.

On motion by Mr. Wagner,

The message from the House requesting the Senate to meet in joint convention was taken up.

On motion by Mr. Tarkington,

The request of the House was concurred in.

Thereupon the Senate repaired to the Hall of the House, to receive

the message of His Excellency the Governor, the President of the Senate occupying the chair.

The Throne of Grace was addressed by the Rev. Gilbert Small.

The Governor then delivered the following message to the two Houses of the General Assembly :

Senators and Representatives :

For the first time in the history of our State government it becomes the duty of the acting Executive of the State to announce the death of his predecessor in office before the time for which he was elected had expired. On the third day of October, 1860, at St. Paul, Minnesota, Ashbel P. Willard departed this life. His remains were brought back to our State by his widow, accompanied by the Governor of Minnesota, Hon. Henry M. Rice, one of her Senators in Congress, and by other citizens. For their kindness in thus attending the remains of our deceased Governor to the Capital of our State, I desire, for the people of the State, as well as for myself, to extend to them our heartfelt thanks. This sad occurrence has devolved upon me, by virtue of the Constitution of our State, the duties of the Executive office for the period for which the late Governor Willard was elected.

During the time that I have been acting as the Executive of the State, there has been no question presented to me, save one, that can by any possibility affect the pecuniary interests of Indiana. The semi-annual interest on the public debt for January, 1861, was maturing without the means in the State Treasury to meet it. There was no mode of liquidating that interest except by borrowing money. And believing that the citizens of Indiana desired that her obligations should be kept, the Auditor and Treasurer of State, together with myself, taking as our authority an act of the General Assembly prescribing the duties of the Governor, approved May 27, 1852, made a loan of \$125,000 from Messrs. Winslow, Lanier & Co., of the city of New York, giving our obligations to pay the same in May next out of the revenue of the year 1860. It is a matter much to be regretted that Indiana is in such a condition that she is compelled to go into the market to borrow money for any purpose whatever. But it is due to truth to state that this necessity would not have existed but for the failure of the Senate of Indiana to pass a revenue bill for the year 1857-8.

For the action of the officers of the State government, and for the condition of the State Treasury since the last meeting of the Legislature, I respectfully refer you to the able and full report of the Auditor of State.

The management and prosperity of our benevolent institutions for the last two years have been most satisfactory, conducted as they have

been by able and efficient officers. Their several reports are herewith submitted, and I most cheerfully second the recommendations therein made in reference to legislative action.

The report of the Directors of the State Prison at Jeffersonville shows that the Prison is indebted between \$8,000 and \$10,000, without present means of payment. This indebtedness was caused by the failure of the lessees of the convict labor to pay the State the amount due for such labor. The most of the money thus due the State is believed to be amply secured—but the time of its payment is uncertain. This failure to meet the just demands of the State by these lessees has been caused by the financial crisis which has existed for the last few months. I therefore recommend that the Legislature make an appropriation to meet the indebtedness of the State in connection with this institution.

The law fixing the qualification of voters, and for the protection of the ballot box against fraud is defective. Our present law does not insure a fair and honest expression of public sentiment. At our elections, on very many occasions within the last few years, in consequence of this defect in the laws, citizens of one county have, on the day previous to the election, emigrated to another county expressly to control the election.

Our government rests upon the action and will of the majority of her citizens, and that being the case, it is important that by provisions of law we may be assured that public sentiment shall have a fair expression through the ballot-box, and, without this is secured, we cannot reasonably hope that minorities will long submit. Every citizen of our State, therefore, without regard to party, is interested in having an efficient and effective law guarding this mode of expressing public sentiment. I therefore respectfully recommend the passage of a law inflicting heavy penalties upon persons voting illegally, and also upon officers of the election who refuse a legal vote, or who knowingly receive an illegal one, and fixing the residence in the county necessary to entitle one to vote, at a period that will make it unprofitable for bad men to change their residence for voting purposes alone. Had I the power of fixing the penalty for a violation of the election law of our State, it never would be below that of imprisonment in the State Prison. That penalty would deter bad men, and do much to preserve the purity of the ballot-box.

The commercial crisis which we are now undergoing, the depreciated condition of the securities upon which our free bank circulation is based, and the consequent depreciation of our currency warn us that in order to promote the financial interests of our State—to prevent loss arising from the receiving of paper money, so liable to depreciate while in the vaults of the Treasury, we should provide by law a sub-treasury system. The report of the commissioners appointed by the last Legislature to examine into the debts due the State suggests many reasons for the passage of this law. During the last ten years the State has suffered to the amount of thousands of dollars by the depreciation of the currency while in the hands of the

State and county officers—by the bankruptcy of persons who have become debtors to the State for money borrowed out of her vaults; by the suspension of banks in which her revenues were deposited for safety; by the imprudence and improvidence of her officers, and their neglect or failure to discharge the duties imposed upon them by law. And to guard against a recurrence of those losses; to give that feeling of security to the citizen that the taxes he has paid are safely kept and prudently disbursed, it has now become absolutely necessary that a rigid law should be passed embodying these provisions: *First*, The collection of the debts due the State in gold and silver; *Secondly*, The erection of a suitable building, with secure vaults, for the preservation of the public money; and *Thirdly*, placing those officers having control of the public money under such strict guards that the loaning or disbursing of any of it, except in the manner provided by law, should constitute a felony, and render them liable to imprisonment in the State Prison.

It is manifestly unjust to require an officer to execute bond to the State, in a heavy penalty, for the secure keeping of the revenues of the State, when no provision is made specifying the kind of money he shall receive, and no suitable place provided in which it shall be kept. The necessity is great, therefore, of providing for the erection of a building suitable for the purpose, with vaults sufficiently strong to guard the public records and revenues from accident and crime; and remembering the success that has attended the sub-treasury system in some of our sister States, and in the federal government, I trust that you will give this matter your early and favorable attention.

At the last May term of the Supreme Court in the case of *Igoe vs. The State of Indiana*, the law approved February 10th, 1855, regulating the business of foreign insurance companies, was declared to be unconstitutional. By a reference to the Auditor's books, I have learned that while the law was enforced, nineteen foreign insurance companies complied with its provisions by filing their semi-annual statements, and afterwards making the necessary deposits of funds or securities. These deposits were held in trust by the Auditor for the policy holders of the companies making them. When the law was declared unconstitutional these deposits were withdrawn, and we are left without any law regulating this important and growing branch of commercial business. It is now questionable whether there is a law authorizing the service of process on the agents of foreign insurance companies in suits growing out of contracts made by them in this State. That the magnitude of this branch of business may be seen, I learn from a gentleman conversant with insurance in this State, that there is paid annually by policy holders for insurance in foreign companies not less than \$250,000, and that the amount covered by insurance in those companies is about \$20,000,000.

I, therefore, recommend the passage of a law which will in the first place give to the policy holder perfect security, and in the second, foster and encourage *bona fide* insurance companies organized by our own citizens under the laws of the State; without such strin-

gency, however, in its provisions, as to drive from our State good and solvent foreign companies, thereby cutting off a healthy competition.

In the progress of our State in population it has been found necessary to erect two prisons, which contain about five hundred convicts, and of that number about fifty are under twenty-one years of age.

The Legislature of 1855, impressed with the necessity of providing a place in which the young delinquents might be confined, where the old and hardened criminal should have no power to lead them further astray, or induct them deeper into crime, provided for the purchase of a piece of ground for the purpose of establishing a House of Refuge. In April last, Governor Willard and the State officers negotiated with Gen. James P. Drake for the purchase of one hundred acres of land, four miles west of the city for that purpose.

The importance of such an institution cannot be overestimated, and it has had the frequent recommendations of my predecessors. In view of the fact that the penitentiary to a young mind is a perfect school for vice; that mere boys are sentenced there in order to avoid an expense to the county for their maintenance in the county jail; and that by contact with old offenders, they come out at the end of their term as vicious as their instructors, I can hardly conceive a want more seriously felt than this. In our sister States, these institutions, under the names of "Houses of Reform," "Houses of Correction," "State Reform Schools," &c., have been tried with success. The establishment of a House of Refuge upon the ground selected and purchased for that purpose, is imperatively demanded—demanded alike by good morals and sound policy—and I recommend that prompt and adequate action be taken by you in the matter, and that an appropriation for that purpose be made.

By a law, approved March 5th, 1859, the Legislature provided for building a State Prison north of the National Road, and appropriated fifty thousand dollars to carry the provisions of the law into effect. As the Legislature failed to elect three directors, the Governor, by virtue of the law, appointed Dr. B. F. Mullen, John P. Dunn and John W. Blake such Directors, who proceeded to locate the prison at Fort Wayne. But for some reason the Governor failed to approve of this location, and it was finally abandoned, and the location subsequently made at Michigan City. Under a contract made by the directors on the part of the State, with Messrs. Talbott and Costigan for the building of such State Prison, I learn the full amount of the appropriation has been expended. As I have had no connection, either personal or official, with this transaction, I am compelled in this general manner to allude to it. In regard to the location of this prison, the making of the contract and the direction of the work, in a matter of the importance of this, it is due to these directors as well as to the public, that you should cause a full investigation to be made in reference to their action as such directors, and I respectfully recommend that you cause such an investigation to be made. Their report is herewith submitted.

The commission appointed under a joint resolution of the General Assembly at the last session, in relation to the settlement, adjustment and collection of the dues to the State, assembled in this city in July, 1859, to discharge the duties confided to them.

By the terms of the joint resolution, the authority of the commissioners seems to be limited to the detailed statement of the unsettled accounts of all persons heretofore acting as officers or agents of State, and evidences of debt, delivered to them by the Auditor of State. They thoroughly investigated such accounts and claims, and, as far as practicable, have settled the same in pursuance of the terms of the joint resolution. The investigation required, in some instances, much labor, and the examination of a great variety of facts. The settlements so made were, in my opinion, such as the interests of the State rendered necessary, and I have upon examination of them given my full approval thereof in writing. The report of their proceedings is herewith laid before you.

In order that the citizens of Indiana should compete favorably with those of her sister States in the full and profitable development of her mineral resources, the last Legislature, following out the wise and enlarged policy demanded by an increase in the number of our inhabitants, and a friendly emulation with our sister States, passed an act requiring a geological reconnoissance of our State preparatory to a more full and extended examination of all her hidden resources. This survey you placed under the fostering care of the able and energetic State Board of Agriculture, who have, in their direction of the survey, fully sustained their well merited character for discernment in plan and promptness in execution of work entrusted to their charge. Already, with the \$5,000 placed by you at their disposal, they have had nearly every county partially examined, and are ready, through their geologist, to report upon the most important localities, minerals, soils, &c., meriting more full and detailed examinations, should the same wise and liberal policy dictate a further prosecution of the work, and furnish the necessary means.

The advantages of a thorough geological survey are manifold. It will show to our citizens and the world that we have more than twenty counties in which a good working coal can be developed to any required amount; coal beds from which oil can be extracted equal in quality and nearly in quantity to that of Breckinridge county, Kentucky; abundant deposits of iron ore at present worked successfully at a few furnaces, chiefly on the edge of our coal field; and also on the same coal field margin favorable locations for sinking brine wells and boiling salt; various localities in which extended search may develop lead and other metals—one deposit having recently been developed by analytical research in the laboratory of the State Geologist as rich in the valuable mineral cobalt, extensively used in arts and manufactures—besides, further, the examination and recommendation of many valuable quarries, affording materials for building rock and road making, with others affording grindstones and whetstones of excellent quality, and a good article of lithographic stone; as well

also as numerous deposits adapted to the manufacture of fire brick, earthenware, &c. Besides all these important and practical results, I would more especially call your attention to the chemical analyses of thirty-three soils selected from different geological formations, designed to show the manner in which that important work should be performed for every county in Indiana.

To enumerate all the advantages which our State would secure, would occupy more space than can be appropriately devoted to it, notwithstanding the vital importance of the subject to our whole community, but it is confidently hoped enough has been here said to direct your attention to a work alike useful and interesting to the farmer, the mechanic, the engineer, and many others, as well as to the general lovers of science.

Our lamented man of science, of world-wide reputation, and an ornament to our State, our late State Geologist, Dr. David Dale Owen, is lost to science and to us by death, and it will be indeed hard to fill the void thus occasioned. As, however, he was occupied previous to the call made on him by our State Board, in the surveys of Kentucky and Arkansas, he had not personally taken the field. The work has hitherto been conducted and reported upon by his brother, Dr. Richard Owen, whose report is herewith submitted to you with the necessary maps, diagrams, tables of analysis, etc., connected therewith.

It is now seventy-one years since the present Federal Constitution was adopted and the United States formed into one nation under its provisions. In that time, under the benign influence of our Federal Union, our advancement in all the elements of national greatness and power, has been unparalleled; and now, in the very zenith of our power, in the morning of our national existence, with all the elements of national and individual wealth in rapid process of development, we find ourselves on the brink of disunion, and from the high position we have hitherto enjoyed as a power among the nations of the earth, we seem about to fall into the fathomless depth of anarchy and civil war. As one of the members of this great confederacy of States, it is our imperative duty to carefully and honestly consider the causes that have so much disturbed our federal relations, and if any remedy can be devised to stay the progress of disunion, Indiana should be willing to seize upon it at once and use that remedy to heal the dissensions now existing between the Northern and Southern States. The Federal Government, based as it is upon a written constitution, formed of delegated powers from the several States, and possessing no powers that are not federal in their character necessarily leaves untouched and to be exercised by the several States alone, all local rights of persons or property. Its mission is to regulate our intercourse with foreign nations, and to promote and secure domestic tranquility. Its strength rests with the affections of the people of the several States. It is a government of affection, and not of force, and the dangers that now surround us arise from the fact that the fraternal bonds that have thus far held us together as a nation, have

been growing weaker and weaker until they are about to break asunder. The causes that have produced this alienation of affection between the people of the different sections of the Union, in my judgment, are all traceable to the unwise and, in many instances, fanatical agitation of the question of domestic slavery.

The very form of our Federal Government presupposes a difference in the local and domestic institutions of the several States, and has wisely left each State in the undisturbed right to control its domestic policy. At the time the Federal Constitution was adopted, twelve of the thirteen original States recognized slavery. But the institution was then in its infancy in this country, and had been forced upon the colonies by the mother country. Most of the leading men, both North and South, then looked upon its existence as ephemeral, and contemplated a day, at no great distance, when it would wholly disappear from our system. Far-seeing as the founders of this government were, they did not estimate rightly the future of this institution. Subsequent developments have fixed the line of demarkation between free and slave institutions. This line has been established by self-interest, and not by any principle of religion or philanthropy. The Northern States relieved themselves from the burthen when they disposed of their slave property to their southern neighbors and abolished the institution, and the Southern States found in the growing demand for the peculiar productions of their climate and soil, a profitable field for the employment of this species of labor, and they have cherished and maintained it, until it has become the basis of their social system as well as the mainspring of their wealth, and its productions now form the staple of the world's commerce.

From the time this line was formed a gradual but perceptible change in the tone of sentiment, both North and South, began to manifest itself. In the beginning of the agitation of the slavery question in the free States, the advocates of anti-slavery sentiments found but few sympathizers, and the abolition lecturers met with but an indifferent reception at the hands of the people. The honest instincts of the masses recoiled from the danger with which these sentiments were pregnant, and the fear of the popular mind has been fearfully verified in the events that are now transpiring around us. In the change of popular sentiment on this subject the politician and demagogue have had much to do; but their efforts would have been powerless but for the aid they have received from a much more powerful as well as dangerous class. I refer to that class of political teachers who belong to the ministry, and who claim to speak by authority. In all ages of the world the ministers and priests of the prevailing religion have exercised a most potent influence over the minds and conduct of men, and in no country more than in our own, notwithstanding our boasted independence. Their power for good or evil is greater than any or all others. They stand as the professed representatives of heaven in attempting to reclaim a world from sin. Clothed with this sacred robe, as ambassadors from that high court,

they claim to pass the judgment of heaven upon the acts and conduct of their fellow-men; and, when this high mission is faithfully and conscientiously performed by one capable of understanding the true relation between man and his maker, when the Christian religion is applied to the world as it is, and not as it ought to be, no nobler spectacle can be presented than that feature of our social system that is so strikingly exemplified in the church circle of which its minister and pastor is the center, and no class of men are entitled to higher regard than those ministers who faithfully, and in a spirit of charity, discharge the high duties of such a station. But unfortunately for us as a nation, too many who have thus armed themselves with this double power for good or evil, have turned their attention to political reforms, and invoke, in their misguided zeal, all the fanatical elements by which they are surrounded. Profoundly ignorant of the political bearings of questions of social and political economy, they claim to judge all such questions from a moral point of view, and to condemn or approve according to their standard of moral right, without any regard to the effect of such decision upon the well-being of society at large, and without considering the probable result of their pretended moral reform upon the political condition of the country, and their labors have thrown every wave of sectional commotion higher than the last, until the whole country is convulsed by it.

The slavery agitation in the free States has naturally produced ultraism at the South, and, as a consequence, the country has become divided into sectional parties, separated by geographical lines. Against these ultraisms, North and South, it is the duty of the conservative element of the whole country to interpose; and this must be done at once or disunion is inevitable, if it be not already accomplished. The points of difference between the slaveholding and the non-slaveholding States are few, and even those are more imaginary than real. We are as much interested in the development, growth, and prosperity of the Southern States as they are themselves, because southern productions have become necessities of life. On the other hand, they are deeply interested in our prosperity, and suffer from any cause that retards it. The constitution demands that their fugitive slaves be returned to them. Equity and common honesty require that they shall have full and equal rights in all the territories belonging to the general government. The future condition of the territories, so far as the extension of slavery is concerned, will ultimately be determined by the natural laws that have hitherto controlled that species of property—that is, climate, soil and productions, so that any question that can now be made upon it must be more an abstraction than a living, vital principle. Why then is it so difficult to adjust all differences between us, and what has caused this fearful political commotion, this panic that has prostrated all the commercial relations of the entire Union? This state of things followed immediately upon the result of our late Presidential election, and it would be difficult, I apprehend, to give as a reason for the present condition of things any other than the result of that contest.

The South regarded the election of a Northern candidate by a Northern party as the sequence of anti-slavery agitation, as the solemn verdict of the people in the free States against the South and her institutions, and the instinct of self-preservation is now causing in the South that character of action which threatens to shake the fabric of our government to its center. The triumph of the Republican party in the late Presidential contest is the proximate cause of our present political troubles. But the state of popular sentiment necessary to produce these results has been maturing for years, and is the result of slavery agitation. The Southern mind has become impressed with the belief that there is no longer any safety to them or to their property in a union with non-slaveholding States; and that belief does not rest upon any one act of the prevailing party, but in the chain of events that connect together the history of anti-slavery agitation. Underlying, as the institution of slavery does, the whole structure of southern society, both social and political, and forming to them one great element of their wealth, regarded by them as indispensable to the growth and development of the country, and sensitive to all attacks from every quarter, there can only be permanent peace and tranquility between the two great sections of the country when we of the free States are ready to stop this discussion of the abstract question of morals connected with this institution, and look upon it only as a political question, and as it stands connected with our interests as a nation. Compromises of political differences may do much, but that which is most needed at this time, is a restoration of the sentiments of kindly feeling between the North and the South that so strikingly characterized the early history of our Republic, and then we may hope that an honest and faithful discharge of all our constitutional obligations toward each other will result in healing the present breach and insure to us as a nation a brilliant future.

It gives me great pleasure to say that Indiana as a State has hitherto faithfully kept the bond of union with all her sister States; her record is unstained by any act of bad faith. She has never attempted, directly or indirectly, to evade or avoid any of the requirements of the Federal Constitution, and no man can doubt but if the same could be said of every other State, instead of discord, peace and harmony would reign throughout our borders. Let us then take pride in maintaining the high position we have thus far occupied as a conservative, Union-loving State, and, while we throw our weight into the scale in favor of any practical mode of settling the present trouble, let us also endeavor to aid in that more permanent and lasting settlement that must flow from a restoration of amity and cordiality among all our people, North and South. Then, as you have met in a legislative capacity, you should place Indiana in this controversy where she rightfully belongs—a conservative, law-abiding and Union State. Show to the people of this confederacy that Indian will maintain the constitutional rights of every State in this Union—that she will extend to the South all rights in the territories belonging to this government that she would claim for herself—that she will look to the

constitution and the laws to determine rights of property, and not permit any moral question to interpose to affect that determination, and that all property recognized by the constitution and laws shall be alike protected. This position, although it may not affect the action of the extreme Southern States, yet it may do much to bring about a convention of the border free and slave States. And regarding, as I do, these States to be conservative, and in favor of maintaining the Union as it is, it would be well for the peace of this country, if they could meet in convention and consult together in regard to the present unhappy differences existing between the North and the South. They might, by their conservative action, induce the extremists of the North and South to pause and reflect upon the consequences which must necessarily result from their fanatical course, and if by their action this much could be gained, there would then be hope that by a union of the conservative elements of the country, these unhappy differences might be satisfactorily settled, and the best government under heaven saved from the horrors of disunion and civil war.

A. A. HAMMOND.

The President then declared that the business for which the two Houses of the General Assembly had been called together was concluded; and

The Senate returned to its chamber.

On motion by Mr. Slack,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
January 12, 1861. }

The Senate met.

The journal of yesterday was read.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Craven presented a petition from sundry citizens of the State of Indiana, asking the passage of a law obliging all persons fined and committed to the county jail for non-payment of fines, to pay the

same by labor on the public streets or roads or as the Legislature may direct;

Which was referred to the Committee on Judiciary.

RESOLUTIONS.

Mr. Slack offered the following resolution :

Resolved, That when the Senate adjourn it will adjourn until Monday at 2 o'clock P. M.

On motion by Mr. Wagner,
The words "2 o'clock P. M." were stricken from said resolution, and "9 o'clock A. M." inserted therein.

The resolution as amended was then adopted.

On motion by Mr. Johnston,

Resolved, That the Committee on State Printing be instructed to enquire into the expediency of letting the State Printing to the lowest responsible bidder, requiring bond, and approved security for the faithful performance of the work, the contractor furnishing all the material necessary for the work.

On motion by Mr. Murray,

Resolved, That the Committee on Military Affairs inquire into the expediency of reorganizing the Militia, and repealing all laws now in force for that purpose.

Mr. Hull offered the following resolution :

Resolved, That in the opinion of this Legislature, the present temperance law should be so amended as that the restrictions therein shall not operate upon malt beer, native wines and cider, but that they should be permitted to be sold and used by all, free from such restrictions.

Which,

On motion by Mr. Hull,

Was referred to the Committee on Temperance.

Mr. O'Brien offered the following resolution :

Resolved, That five thousand copies of the message of His Excel-

lency Governor Hammond be printed for the use of the Senate, two thousand copies of the same to be printed in the German language.

Mr. Wagner moved to refer the resolution to the Committee on Printing.

Mr. Tarkington moved to lay the motion to refer upon the table. Which did not prevail.

The question recurring upon the motion to refer,

Senators Wagner and Bearss demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, March, Mellett, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Wilson and Wolfe—20

So the motion to refer to the Committee on Printing was adopted.

On motion by Mr. Anthony,

Resolved, That the Doorkeeper be directed, while procuring postage stamps for the members, to procure an equal amount of stamps for the Principal and Assistant Secretary, and the Doorkeeper and Assistant Doorkeeper.

JOINT RESOLUTIONS.

Mr. Murray introduced

Senate Joint Resolution No. 2. "A joint resolution on the state of the Union."

Which, under the rule, was referred to the Committee on Federal Relations.

BILLS INTRODUCED.

Mr. Conley introduced

Senate bill No. 6. A bill to repeal an act entitled "an act to authorize the formation of new counties, and to change the boundaries;" approved March 7th, 1857.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Newcomb introduced

Senate bill No. 7. A bill supplementary to an act concerning real property, and the alienation thereof, approved May 6th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Line introduced

Senate bill No. 8. A bill to amend the first section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof;" approved March 5th, 1859.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Claypool introduced

Senate bill No. 9. A bill to amend section nine of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases;" approved June 9th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Lomax introduced

Senate bill No. 10. A bill to amend the 102d and 149th sections of an act entitled "an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof;" approved March 5th, 1855.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Conner introduced

Senate bill No. 11. A bill to amend section 151 of an act entitled "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State;" approved June 21st, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Craven introduced

Senate Bill No. 12. A bill to amend the sixteenth section of an act entitled "an act touching the relation of Guardian and Ward,"

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Lomax introduced

Senate Bill No. 13. A bill to amend the 5th section of an act entitled "an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith," and to repeal all laws conflicting with the same, approved Feb. 18, 1859,

Which was read a first time, and passed to a second reading on to-morrow.

A message from the House by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to meet in the Hall of the House on Monday next, at 2 o'clock P. M., for the purpose of comparing the election returns for Governor and Lieutenant Governor.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate Bill No. 2. A bill to repeal an act entitled "an act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of Judges thereof,"

Was read a second time, and

On motion by Mr. Anthony,
Referred to the Committee on Organization of Courts.

Senate Bill No. 3. A bill to amend section 18 of an act entitled "an act prescribing the powers and duties of Justices of the Peace," approved May 29, 1852,

Was read a second time, and

On motion by Mr. Conley,
Referred to the Committee on the Judiciary.

Senate Bill No. 4. A bill regulating the public printing of the State of Indiana, and fixing the compensation therefor, prescribing the duties of certain officers therein named, and to abolish the office of State Printer and repeal all laws in conflict with this bill,

Was read a second time, and

On motion by Mr. Murray,
Referred to the Committee on Printing.

Senate Bill No. 5. A bill to amend section 238 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 8th, 1852,

Was read a second time.

Mr. Mellett offered the following amendment thereto :

Strike out all of section one after the words "be amended so as to read as follows," and insert the following :

No person offered as a witness shall be excluded from giving evidence, either in person or by deposition, in any civil action or proceeding by reason of incapacity from crime, or interest in the event of the same as a party thereto or otherwise; *Provided*, That no party to a suit shall be allowed to testify when the adverse party is the executor or administrator of a deceased person, when the facts to be proved transpired before the death of the deceased person; nor shall he testify unless he gives reasonable notice of his intention to do so to the adverse party, his agent or attorney.

On motion by Mr.

The bill, with the pending amendment,

Was referred to the Committee on the Judiciary.

By unanimous consent,
Mr. Carnahan introduced

Senate bill No. 14. A bill to amend section forty-eight of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Which was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Wagner,

The message of the House requesting "the Senate to meet in the Hall of the House on Monday next at 2 o'clock P. M., for the purpose of comparing the election returns for Governor and Lieutenant Governor," was taken up, and concurred in by the Senate.

Ordered, that the Secretary inform the House thereof.

Mr. Slack offered the following resolutions:

Resolved, That the Senate of the State of Indiana has received with the deepest sensibility the announcement of the death of the Governor, Ashbel P. Willard.

Resolved, That the officers and members of this Senate wear the usual badge of mourning for thirty days, as a testimonial of the profound respect this Senate entertains for the memory of the deceased.

Resolved, That the proceedings of this Senate in relation to the death of Governor Willard be communicated to the family of the deceased by the Secretary.

Resolved, That as a further mark of respect for the memory of the deceased, this Senate do now adjourn.

The Senate was addressed by Senators Newcomb, Wagner, Line, Ray, Anthony and Shields, who seconded the resolutions, and delivered feeling eulogies upon the character of the late Governor, Hon. Ashbel P. Willard.

On motion by Mr. Line,

Permission was granted to Senators to write out and print their remarks upon the resolutions.

On motion by Mr. Cobb,
The resolutions were adopted, and
The Senate adjourned.

MONDAY MORNING, 9 O'CLOCK, }
January 14, 1861. }

The Senate met.

The Journal of Saturday was read.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Tarkington presented a petition from sundry citizens of Brown and Monroe counties, desiring the passage of a law suspending the collection of debts by levy and sale of property for the space of one year.

Which,

On motion, was

Referred to the Committee on Finance.

Mr. Hull presented a petition from sundry citizens of Ripley and Dearborn counties, asking a change in the road law, so as to give County Commissioners power to regulate the width of all roads in their respective counties.

Which was referred to the Committee on Roads.

RESOLUTIONS.

On motion by Mr. Jones,

Resolved, That two hundred copies of the Report of the Directors of the Northern Prison, and two hundred copies of the Report of the Commissioners appointed at the last session of the Legislature to examine and adjust the suspended debt of the State, be printed for the use of the Senate.

Mr. Murray offered the following resolution :

Resolved, That the Committee on Agriculture enquire into the expediency of reporting a law conferring power on the County Boards to assist Agricultural Societies in the purchase of Fair Grounds.

Which was referred to the Committee on Agriculture.

Mr. Anthony offered the following resolution :

Resolved, That the following Standing Committees be now appointed by the Senate :

Committee on Judiciary.

Messrs. March, Conner, Newcomb, Craven, Miller, Mellett, Claypool, DeHart, Slack, Ray, Cobb, Wolfe and Studabaker.

Committee on Finance.

Messrs. Wagner, Cravens, Steele, Blair, Tarkington, Shoemaker and Hamilton.

Committee on Organization of Courts.

Messrs. Conner, DeHart, Claypool, Dickinson, Ray, Wolfe and Cobb.

Committee on Elections.

Messrs. White, Grubb, Berry, Turner, Landers, Shoulders and Line.

Committee on Federal Relations.

Messrs. Cravens, Wagner, Newcomb, March, Beeson, Steele, Ray, Wolfe, Tarkington and Line.

Committee on Education.

Messrs. Miller, Anthony, Craven, Stone, Blair, Shoemaker, Tarkington, Odell and Line.

Committee on Corporations.

Messrs. Craven, Beeson, Conner, White, Carnahan, Johnston and Shields.

Committee on Military Affairs.

Messrs. Murray, Steele, Wagner, Craven, Carnahan, Shoulders and Lomax.

Committee on Roads.

Messrs. Hull, Beeson, Stone, Robinson, Williams, Odell and Jones.

Committee on Canals and Internal Improvements.

Messrs. Campbell, Steele, Conner, Bearss, Williams, Wilson and Hamilton.

Committee on the Affairs of the Town of Indianapolis.

Messrs. Robbins, Newcomb, Blair, Line and Cobb.

Committee on Claims.

Messrs. Mellett, Robinson, Stone, Dickinson, Carnahan, Johnston and Jones.

Committee on State Prison.

Messrs. Bearss, Anthony, Teegarden, Mellett, Culver, Murray, Tarkington, Slack, Line, Wolfe and Cobb.

Committee on Expenditures.

Messrs. Blair, Turner, Claypool, Campbell, Ferguson, O'Brien and Lomax.

Committee on Banks.

Messrs. Steele, March, Claypool, Bearss, Connelly, Hamilton and Landers.

Committee on Manufactures.

Messrs. Robinson, Beeson, Hull, Shoemaker and Johnston.

Committee on Agriculture.

Messrs. Beeson, Culver, Campbell, Murray, Bearss, Williams, Shoulders, Johnston and Lomax.

Committee on Unfinished Business.

Messrs. Stone, White, Robbins, Grubb, Ferguson, Hamilton and O'Brien.

Committee on Benevolent Institutions.

Messrs. Teegarden, Newcomb, Cravens, Dickinson, Robbins, Hamilton, Line, Tarkington and Conley.

Committee on Swamp Lands.

Messrs. Turner, DeHart, Miller, Conner, Odell, Wilson and Shoulders.

Committee on Temperance.

Messrs. Dickinson, Culver, Hull, White, Johnston, Shields and Shoulders.

Committee on County and Township Business.

Messrs. Culver, Campbell, Anthony, Murray, Shoemaker, Odell and Line.

Committee on Phraseology and Arrangement of Bills.

Messrs. Claypool, March, Turner, O'Brien and Jones.

Committee on Printing.

Messrs. DeHart, Culver, Murray, Mellett, Wolfe, Ray and Cobb.

Committee on Enrolled Bills.

Messrs. Berry, Stone, Blair, Ferguson and O'Brien.

Committee on Rights and Privileges.

Messrs. Grubb, Dickinson, DeHart, Studabaker and Line.

JOINT COMMITTEES.

Committee on Public Buildings.

Messrs. Newcomb, Miller, Hull, Line and Landers.

Committee on State Library.

Messrs. Anthony, Teegarden, White, Craven, Shoemaker, Hamilton and Conley.

Which was adopted.

On motion by Mr. Line,

Two hundred copies of the Standing Committees, as reported above, were ordered to be printed for the use of the Senate.

On motion by Mr. Tarkington,

Resolved, That the Report of the Directors of the State Prison at Jeffersonville for 1859, be laid on the table of the Senators, and any other officers for that year.

BILLS INTRODUCED.

Mr. Conley introduced

Senate bill No. 15. A bill to amend the four hundred and twentieth section of an act entitled "an act to revise, simplify and abridge the rules, practices, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Jones introduced

Senate bill No. 16. A bill requiring township assessors to ascertain the number of sheep killed and injured by dogs.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wilson introduced

Senate bill No. 17. "A bill allowing Prosecuting Attorneys a percentage on all moneys collected upon forfeited recognizances."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Conner introduced

Senate bill No. 18. An act to amend section 315 of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,"

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Claypool introduced

Senate bill No. 19. An act to amend the third section of an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act,"

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cravens introduced

Senate bill No. 20. An act supplemental to an act entitled "an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859; providing for appeals in the case of persons applying for license to sell intoxicating liquors and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury, in suits in relation thereto, final,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Dickinson introduced

Senate bill No. 21. "A bill to apportion the Senators and Representatives in the State for the next six years,"

Which was read a first time and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 22. "A bill to secure the payment of moneys due for licenses for the sale of intoxicating liquors into the County Treasury by taxing the same against the property in which or upon which such liquors are vended, and to provide that all money received for license to sell intoxicating liquors shall be added to the principal of the common school fund in the counties wherein received,"

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Hull introduced

Senate bill No. 23. A bill to amend the 70th section of an act entitled "an act for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana; and for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Line introduced

Senate bill No. 24. An act to amend the sixth section of an act entitled "an act for the encouragement of agriculture," approved February 17th, 1852,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Dickinson introduced

Senate bill No. 25. A bill to authorize Justices of the Peace, Judges of Courts and Mayors of cities to administer oaths generally,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Shoemaker introduced

Senate bill No. 26. A bill supplemental to an act entitled "an act

to provide for the relocation of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court house, and where a deed has been executed to provide also for the transfer of any equitable title for the termination of actions growing out of such re-location, and for the transfer of the former county property," approved December 22, 1858, so as to legalize and confirm the action of Boards of Commissioners in cases where public property has been conveyed under the provisions of such act, and to provide for the conveyance of the asylum for the poor in certain cases; and to provide also that the Trustees created under the act to which this is supplemental shall constitute bodies politic and corporate,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Lomax introduced

Senate bill No. 27. A bill to enable persons objecting to the location, vacation or change of any public highway to remonstrate against the same,

Which was read a first time, and passed to a second reading on to-morrow.

REPORTS FROM SELECT COMMITTEES.

Leave being granted,

Mr. Murray, from a select committee, made the following report:

MR. PRESIDENT:

The committee appointed upon the question of taking certain newspapers of this city, during the session of the Legislature, have authorized me to report in favor of taking three copies of the Daily State Sentinel and Daily State Journal, two copies of each to be enveloped and stamped. The committee would, therefore, recommend that the Doorkeeper be instructed to contract with the proprietors of the State Sentinel and State Journal for the delivery of their daily papers in accordance with this report.

Mr. Cobb to amend by adding the American, Volksblatt, and Free Press, and to concur in the report as amended.

Mr. Johnston moved the following amendment to the amendment:

To strike out "three" and insert "one," and strike out "enveloped and stamped."

The question being, shall the amendment to the amendment be adopted?

The same was not agreed to.

Mr. Anthony moved to lay the amendment of Mr. Cobb upon the table.

The ayes and noes being demanded by Senators Johnston and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Ferguson, Hull, Johnston, Line, Lomax, March, Mellett, Newcomb, Odell, Ray, Shoemaker, Shoulders, Steele, Stone, Tarkington, Wagner and Wilson—25.

Those who voted in the negative were,

Messrs. Bearss, Cobb, Conner, DeHart, Dickinson, Grubb, Hamilton, Jones, Murray, O'Brien, Robbins, Teegarden, Turner, White, Williams and Wolfe—16.

So the amendment was laid on the table.

Mr. Conner offered the following amendment:

Also one copy of the newspaper of each of the several counties of the State having the largest circulation: *Provided*, That no newspaper shall be admitted under the sanction of the Senate which does not take a high stand for the union of these States, now and forever.

Mr. Cobb moved to lay the amendment of Mr. Conner on the table.

The ayes and noes being demanded by Senators Anthony and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, Lomax, Murray, Newcomb, O'Brien, Odell, Ray, Robbins, Shoemaker, Shoulders, Steele, Stone, Tarkington, Wagner, White, Williams Wilson and Wolfe—33.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Conner, Hamilton, March, Mellett, Teegarden, and Turner—8.

So the amendment was laid upon the table.

Mr. Newcomb offered the following amendment :

Resolved, That each member of the Senate be authorized to subscribe for any number of newspapers published in the city of Indianapolis, not exceeding five copies per day, and that when members make their selections they shall report the same to the Senate; and compensation shall be provided therefor in the specific appropriation bill, at the rate not exceeding the compensation paid for newspapers by the last General Assembly.

Mr. Johnston offered the following amendment to the amendment:

Insert in the proper place "at their own expense."

Mr. Conley moved to lay the amendments on the table.

The ayes and noes being demanded by Senators Anthony and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Carnahan, Cobb, Conley, DeHart, Ferguson, Hamilton, Jones, Line, Lomax, Murray, O'Brien, Odell, Ray, Shoemaker, Shoulders, Stone, White, Williams, Wilson and Wolfe—22.

Those who voted in the negative were,

Messrs. Bearss, Berry, Blair, Campbell, Claypool, Conner, Grubb, Hull, Johnston, March, Mellett, Newcomb, Robbins, Steele, Tarkington, Teegarden, Turner and Wagner—18.

So the amendments were laid upon the table.

Mr. March moved to concur in the report with the following amendment :

Provided the papers are furnished at the same price at which

they are furnished individual subscribers, with the addition of the cost of stamps.

Mr. Conley offered the following amendment to the amendment:

Resolved, That the Doorkeeper be requested to contract for, and lay upon the desks of Senators, two copies each of the Indiana State Sentinel and the Indiana State Journal—one copy of each to be enveloped and stamped.

On motion by Mr. Cobb the amendment to the amendment was laid upon the table.

The question recurring upon the amendment of Mr. March,

Mr. Cobb moved to lay the same upon the table.

The ayes and noes being demanded by Senators Cobb and Mellett,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Dickinson, Hamilton, Line, Murray, Odell, Ray and Shoulders—9.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conley, Conner, DeHart, Ferguson, Grubb, Hull, Johnson, Jones, Lomax, March, Mellett, Newcomb, O'Brien, Robbins, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—32.

So the amendment was not laid upon the table.

Mr. Line moved the previous question, which was seconded by the Senate.

The question being, shall the main question now be put?
Which was agreed to.

The question then being, shall the amendment be adopted?

It was decided in the affirmative.

The report, as amended, was then concurred in by the Senate.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate bill No. 6. A bill to repeal an act entitled "an act to authorize the formation of new counties and to change the boundaries," approved March 7th, 1857,

Was read a second time, and

On motion by Mr. Conley,
Referred to a select committee of five.

The President appointed Senators Conley, Steele, Anthony, Johnston and White said select committee.

~~Senate~~ Senate bill No. 7. A bill supplementary to "an act concerning real property and the alienation thereof," approved May 6th, 1852,

Was read a second time, and

On motion by Mr. Newcomb,

Ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 8. A bill to amend the first section of an act entitled "an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof," approved March 5th, 1859,

Was read a second time, and

On motion by Mr. Wagner,
Referred to the Committee on Temperance.

Senate bill No. 9. A bill to amend section nine of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9th, 1852,

Was read a second time, and

On motion by Mr. Claypool,
Referred to the Committee on the Judiciary.

Senate bill No. 10. A bill to amend the 102nd and 149th sections of an act entitled "an act to provide for a general system of common

schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and to establish township libraries and for the regulation thereof," approved March 5, 1855,

Was read a second time, and

On motion by Mr. Lomax,
Referred to the Committee on Education.

Senate bill No. 11. A bill to amend section 151 of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21st, 1852.

Was read a second time, and

On motion by Mr. Conner,
Ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 12. A bill to amend the sixteenth section of an act entitled "an act touching the relation of Guardian and Ward."

Was read a second time, and,

On motion by Mr. Craven,
Ordered, to be engrossed and read a third time on to-morrow.

Senate bill No. 13. A bill to amend the fifth section of an act entitled "an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with the same;" approved Feb. 18, 1859.

Was read a second time, and,

On motion by Mr. Lomax,
Referred to the Committee on Education.

Senate bill No. 14. A bill to amend section forty-eight of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereto, and certain forms to be used in such settlements."

Was read a second time, and,

On motion by by Mr. Carnahan,
Referred to the Committee on the Judiciary.

On motion by Mr. Blair,
The messages of the House were taken up in their order.

The following message was then taken up.

MR. PRESIDENT :

I am directed by the House to inform the Senate of the passage of the following resolution :

Resolved, That this House will, (the Senate concurring,) go into the election of United States Senator, on Wednesday next, at 2 o'clock, P. M.

Which was duly concurred in by the Senate.

On motion, the following Message was taken up :

MR. PRESIDENT :

I am instructed by the House to inform the Senate of the passage of the following preamble and resolutions :

Whereas Abraham Lincoln, President elect of the United States of America, will shortly pass through our State on his way to the Capital of the Nation :

And whereas the General Assembly desire to show their respect for the future Chief Magistrate of the Republic : therefore

Resolved, That the General Assembly of the State of Indiana, invite the President elect of the United States of America, to visit the Legislature now assembled, on his way from his residence to the Federal Capital, and that a committee of seven be appointed by the House, and six by the Senate, to jointly confer with Mr. Lincoln by letter or otherwise, and should he accept this invitation, said committee shall meet him at the boundary of our State, and escort him to the Capital.

Which was duly concurred in by the Senate.

The following message was then taken up :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed the following resolution :

Resolved, That a committee of two be appointed on the part of

the House to act with a similar committee on the part of the Senate, to wait on His Excellency, Henry S. Lane, and the Hon. Oliver P. Morton, and inform them of their election; the first to the office of Governor, and the second to the office of Lieutenant Governor of the State of Indiana, and to ascertain from them what time it will suit their convenience to take the oath of office; and the clerk of this House shall immediately inform the Senate of the adoption of this resolution, and ask their concurrence, and that Messrs. Orr and Jenkinson have been appointed that committee on the part of the House.

Which,

On motion of Mr. Wagner,
Was laid upon the table.

Mr. Turner, by unanimous consent, offered the following preamble and resolution:

WHEREAS, Mr. James Sutherland has in course of publication a book entitled, "Biography of Indiana Statesmen—Forty-first General Assembly," and as much of its matter must be gathered from the Members of this body; therefore,

Resolved, That Mr. James Sutherland, and J. A. Berry, his assistant editor, be granted the privilege of free access to the floor of the Senate Chamber during session hours, when not in conflict with the regular duties thereof.

Which was adopted.

On motion by Mr. Wagner,

Resolved, That the Committee on Finance be instructed to inquire into the expediency of providing by law for furnishing stationery for the use of the General Assembly, and to report by bill or otherwise also, some plan by which a reporter may be employed for the proceedings.

And,

On motion by Mr. Carnahan,
The Senate adjourned.

S. J.—4.

2 O'CLOCK, P. M.

The Senate met.

Mr. Line offered the following preamble and resolution :

WHEREAS, It is represented by some of the citizens of the State of Indiana, that her present Constitution does not afford sufficient margin for the full development of her resources in all the elements that are calculated to make her a great State; and WHEREAS, the Constitution contains within itself provisions which point out the manner of amending the same; therefore,

Resolved, That a committee of five, be appointed, whose duty it shall be to inquire into the necessity, (if any,) of amending the Constitution of the State, and to report by bill or otherwise.

Which,

On motion,

Was referred to a committee of five.

The President appointed Senators Line, Claypool, March, Ferguson and Ray said select committee.

A message from the House, by Mr. Gordon, clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the following resolution has been passed:

Resolved, That the Senate be invited to meet in the Hall of the House instantler, to witness the counting of votes for Governor and Lieutenant Governor, and that seats are provided for them on the right of the Speaker.

Which was duly concurred in by the Senate.

And the Senate, preceded by its President, repaired to the Hall of the House of Representatives for the purpose of witnessing the counting of the votes for Governor and Lieutenant Governor.

When, the Joint Convention was called to order by the President of the Senate.

The President then declared :

GENTLEMEN—

We have assembled in Joint Session, in accordance with the provision of section four, article five, of the Constitution of Indiana, which reads as follows :

“Sec. 4. In voting for Governor and Lieutenant Governor, the electors shall designate for whom they vote as Governor, and for whom as Lieutenant Governor.

The returns of every election for Governor and Lieutenant Governor, shall be sealed up and transmitted to the seat of government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly.”

The Speaker of the House of Representatives will now proceed to open and publish the returns for the election of Governor and Lieutenant Governor of the State of Indiana.

The Speaker of the House of Representatives, then, in the presence of both Houses of the General Assembly, proceeded to open the returns of the votes cast for Governor and Lieutenant Governor of the State of Indiana, on the ninth day of October, eighteen hundred and sixty, and on counting all of the votes returned, it appeared therefrom, that, for the office of Governor,

Henry S. Lane had received.....	136,720 votes.
Thomas A. Hendricks had received.....	126,768 votes.

Henry S. Lane having received a majority of the votes cast, was, by the Speaker of the House of Representatives, in the presence of both Houses of the General Assembly of the State of Indiana, declared duly elected Governor of the State of Indiana, to serve as such for the term of four years, from and after the second Monday in January, A. D. 1861.

For the office of Lieutenant Governor, it appeared from the returns, aforesaid, that,

Oliver P. Morton had received.....	136,470 votes.
David Turpie had received	126,192 votes.

Oliver P. Morton having received a majority of all the votes cast, was, by the Speaker of the House of Representatives, in the presence of both Houses of the General Assembly, declared duly elected

Lieutenant Governor of the State of Indiana, for the term of four years from and after the second Monday of January, A. D. 1861.

Henry S. Lane, Governor elect, was then sworn into office by the Hon. Samuel E. Perkins, one of the Judges of the Supreme Court of the State of Indiana.

The Governor, Henry S. Lane, then proceeded to deliver his Inaugural Address.

Gentlemen of the Senate and House of Representatives, and Fellow Citizens:

The People of Indiana, in adopting their present Constitution, expressed their gratitude to Almighty God for the free exercise of the right to choose their own form of Government, in order to establish justice, maintain public order, and perpetuate the principles of civil and religious liberty. For the present enjoyment of these inestimable rights and privileges; for the blessings of peace and order within our borders; for bountiful crops and general health and prosperity throughout the year which has just closed, our most heartfelt thanks and gratitude, individually, and collectively as a people, are due the same Almighty, Allwise, and beneficent Being. I feel the strongest degree of confidence, Senators and Representatives, in the belief that you will, in the exercise of those high and important legislative powers with which you are invested by the Constitution, be constantly governed by strong motives impelling you to adopt wise measures for the advancement and maintenance of the true interests of the people of the different sections of Indiana; and also by a patriotic desire to prevent or allay all unnecessary and injurious local political excitement, and to promote and secure as far as possible the general prosperity, safety and honor of our beloved State.

The annual reports of the several state officers for the fiscal years ending in 1859 and 1860, have been laid before both branches of the Legislature, and these documents present an official exposition of the business and operations of the various departments of the state government. They are worthy of, and will doubtless receive, your most careful examination and consideration, in order that the proper legislative remedies may be applied for the removal of any defects that may be found to exist, either in the laws relating to these departments or in the administration of those laws. Entertaining as I do the strongest confidence in the honesty and capacity of the recently elected Treasurer of State; and without intending to cast any reflection upon the official conduct of any of his predecessors in office, still I deem it proper at this time to recommend to you such changes in the law regarding the Treasurer's office as will most effectually prevent any mis-appropriation of the public funds, or their use for any purpose of private speculation or gain, and which insure the

availability and safety of money in the public treasury at all times. Changes calculated to effect these desirable and important objects will receive my most cordial approbation and support.

Our Common School System, from its importance, demands and will doubtless receive your careful consideration. It is believed that such a modification of the school law can be made as will make the system more useful and less burthensome to the people. In your efforts to secure these objects you may rely upon my co-operation.

From the report of the Auditor of Public Accounts, it appears that the total receipts from all sources for the fiscal year ending the 31st of October 1860, amounted to \$1,658,217.87. The total expenditures during the same period were \$1,621,108.48, leaving in the Treasury at the close of the fiscal year an actual balance of \$134,660.39. From the same report it appears that the domestic debt of the State on the 31st of October amounted to \$2,008,993.59, and the foreign debt to \$7,770,273.50. By a careful revision of all the laws which relate to the mode of conducting the financial affairs of the State, and by the application of the most rigid economy to all the various departments of the State Administration, the present Legislature will, it is confidently believed, be enabled to provide ways and means less onerous and more effectual than those which have heretofore been in operation for the gradual reduction and final extinction of our State debt. In the administration of every department of the State government, the strictest economy that can be introduced, consistently with a steady maintenance of the public interest, will be in accordance with the wishes and just expectations of the People of Indiana; and in all your efforts to make provisions for a faithful and economical administration of the State Government, you will have my earnest, active, and honest co-operation and support. And in this connection permit me to suggest the importance of instituting a rigid inquiry, by a joint Committee of the Senate and House of Representatives, into the past management, and present condition of the various benevolent Institutions of the State, and also of our State Prisons; and if extravagance and mis-management are found to exist in the administration of either or all of these Institutions, to take such steps as shall in future prevent a recurrence of such abuses. The honor and interests of the citizens of the State of Indiana, alike demand a thorough investigation in reference to the manner in which the Swamp Lands given to the State by the Congress of the United States, have been disposed of.

The importance of a well organized and thoroughly drilled Militia, in the present critical condition of our National affairs, cannot be over-estimated; and I will most heartily concur with you in any measure which you may devise for the purpose of giving greater efficiency to the present very defective Militia laws of our State. A possible, (I hope not a probable,) contingency may arise during the present session of the Legislature, which will make it necessary and proper for you to appropriate a sum sufficient to equip a portion of the Indi-

ana Militia for the purpose of aiding in the prompt execution of the laws, and in the maintenance of the government. If this contingency shall occur during your session I doubt not that you will meet in a spirit becoming freemen and patriots.

The present laws in relation to the mode of conducting elections are not sufficient to protect the purity of the ballot-box, nor to prevent frauds upon the inestimable privilege of the elective franchise; and I therefore recommend such a revision and change of the election laws as will most effectually accomplish these objects.

Within the last few months, gentlemen of the Senate and House of Representatives, we have been compelled to be unwilling witnesses of the rapid progress of certain events which have seriously threatened the integrity of the Constitution and disturbed the harmony of the Union. In a few of the southern States a treasonable conspiracy, originated by pestilential demagogues, has been allowed to grow and spread unpunished and even unrebuked, until, overrating its own strength, and vastly underrating the patriotism of the people, it assumed form and boldness immediately after the late Presidential election, and now declares its object to be the dismemberment of the United States and the founding of a Southern Confederacy of seceding States. To those who have carefully observed the rise and progress of this scheme of treason, it is evident that no compromises or concessions, which the people of the United States ought to make, in order to preserve the peace of the country, would be sufficient to satisfy the disunionists of South Carolina; and I regret to say that it seems to be almost certain that the people of a few of the southern States are inclined, if not determined, to resist, by armed force, any attempt to hold South Carolina, or any other seceding State, in the Union, by means of the military and naval forces of the United States. But, notwithstanding the extraordinary and treasonable proceedings, and partial, success of a large class of disunionists, I do not, at present, believe it will become necessary to use any considerable part of the military power of the National Government, in order to punish overt acts of treason in any part of the Union. Every citizen of the Union is under an obligation to defend the country, and its constitution and laws, against the attacks of foreign enemies and the assaults of domestic traitors; and if ever a majority of the people of the United States shall deliberately repudiate this patriotic obligation, and shall wilfully and submissively permit treason to walk abroad in our fair land, defy our Constitution and laws, and assail our National Government, then our once magnificent, powerful, and fraternal Union will sink into a state of hopeless anarchy and decay, and thus expose to the nations of the earth a chaotic mass of mighty ruins, upon which the friends of free popular government, throughout the world, may look with sorrow and despair.

My faith in the power of American patriotism compels me to hope that a majority of the citizens of those States in which the greatest amount of angry excitement now prevails, will be found, in the hour of trial, ready to support and defend the constitutional authorities of

the government of the United States, to baffle and defeat all the mad schemes of traitors and disunionists, to reestablish, in their respective States, the majesty of the laws and the supremacy of the Constitution, and to save our beloved country from the horrors of civil warfare and fraternal bloodshed.

However alarming the present crisis in our affairs may be, still I hope, by prudent, firm, and patriotic action on the part of the people and their representatives, the rights of every individual and State in the Confederacy may be preserved inviolate, and that order, law and justice may soon be permitted to resume authority in those portions of the Republic where mob law has been too long tolerated in its murderous assaults on the persons and constitutional rights of American citizens. The novel, alarming and treasonable assumption that any State in the Union has a right under the Federal Constitution to secede at pleasure, is a doctrine unknown to the Constitution, at war with the principles on which our Government was established, and destructive of those high and sacred objects sought to be accomplished by the Confederation. If the anti-Democratic and anti-Republican position now assumed by a large party at the South be true "that the result of a Presidential election, legally and constitutionally conducted in all respects, is to be held a good reason for a dissolution of the Union," then the Union can only be preserved by a base surrender of the right of the majority to rule, and by striking down that liberty and equality which the Constitution was ordained and established to guarantee and perpetuate. The present disastrous agitation now existing in the southern portion of the United States, has been caused by the disingenuous and dishonest charges of unscrupulous and reckless partizans; who, in their madness and folly, have given to party that love which the patriot only bestows upon his country. Our Southern brethren have been taught to believe that the party lately triumphant in the Presidential election meditate an attack upon their domestic institutions and a violation of their constitutional rights. The history of that great party shows the utter groundlessness of these charges. A remote cause of the present hostile attitude of South Carolina may be found in the treasonable doctrines taught in 1832 and 1833 by the leaders of the Nullification movement. These doctrines were temporarily crushed out by the firmness and patriotism of President Jackson, and by the almost universal disposition shown in all parts of the country to support him in the execution of the laws, and in the preservation of the Union. But, in an evil hour for the Republic, under a weak and wicked administration of the General Government, similar doctrines have again found utterance and support. But the immediate cause of the present crisis was the repeal of the Missouri Compromise. That act of bad faith and worse statesmanship, that sin against the cause of freedom, and the cause of peace, raised the storm which now threatens to destroy the freest, happiest and grandest government upon earth. Another cause which has contributed largely to the present state of things in the South is this: Appeals are made by speeches and papers sent from the North, and freely circulated in

the Southern States, conveying a false impression as to the objects, aims and doctrines of the great body of the Northern people. The answer to these incendiary and treasonable appeals is never suffered to reach the Southern States. and hence, many honestly believe that a large and organized party exists at the North, banded together to make war upon the interests and institutions of the Southern people, when every intelligent man here knows that no such party does or can exist. If secession in South Carolina be treason, and no one doubts but that it is, to aid and abet secession in other parts of the Republic is no less treason. If the South has her peculiar grievances, the North also has many and just causes of complaint. Many of her citizens have been deprived of property, liberty and life without evidence, without trial, without crime. Mob violence has perpetrated such outrages upon American citizens as would lead inevitably to a state of war if committed by the subjects of a foreign power. If permanent peace is to be restored to our unhappy and distracted country, it must be done by the removal of all real causes of offence North or South.

The doctrine of secession, peaceable or forcible, now, or at any other time, is a dangerous heresy, fraught with all the terrible consequences of civil-war, and bloodshed, and leading directly to the utter ruin of all our free institutions. This heresy has not yet poisoned the public sentiment of Indiana, and may God in his kind providence put afar off the evil day which shall witness its prevalence among us. I most sincerely believe, and am proud to declare, that the people of Indiana of all parties are true to the Constitution, and loyal to the Union; and that they will always be in the future as they have shown themselves to have been in the past, willing to yield a ready and cheerful obedience to all the requirements of the Constitution and laws of the United States, and to maintain and uphold at all times, under all circumstances, and at every hazard, the glorious form of free government under which we live. The people of our noble State, with very few exceptions, are, I think, resolved to support the President of the United States in the free exercise of all his constitutional powers, with the manliness and courage worthy of a free people. The people of Indiana fully appreciate the importance of the Union, and all the blessings which it confers upon us as a Nation. They do not believe that secession or nullification can furnish a remedy for any political evil, present, past, or to come; they are resolved to transmit to the coming ages undiminished the rich inheritance of freedom, civilization and glory, bought for us by the blood of the Fathers. The light of no single star which blazes on our national flag shall ever be dimmed by the unconstitutional action of either the people or Legislature of our noble commonwealth.

A voluntary and prompt repeal of all State legislation, (either by Northern or Southern States,) contrary to the letter or spirit of the Constitution and intended to defeat the execution of any of the laws of Congress, would be a peace-offering worthy of a great, intelligent and free people, and would be hailed with joy by every patriot in the land.

Indiana has not now, and never had, any such legislation upon her statute books.

Whatever may be the condition of public sentiment in other sections of the Union, the people of our State would favor an amicable settlement of the existing difficulties between the different parts of the Republic; but such settlement, to be permanent and final, must be based upon measures equal and just in their operation, and alike honorable to all portions of our common country.

In all the official relations of Indiana with her sister States, I hope her conduct will be characterized by courtesy and fraternal feeling, and that we shall cheerfully and promptly yield to them all their just rights as equals under the Constitution, and that in all our actions as a State or as individuals, we shall be governed by a high sense of justice, and by a sincere desire to advance the peace and prosperity of the people of all the States in the Confederacy. While we are prepared to respect and observe all the just rights of the citizens of all other States, we should be careful to assert, maintain and protect all the rights of our own citizens at home and abroad. Standing as the main pillars which support our noble Christian civilization and our boasted freedom, there are certain inestimable rights which belong to every citizen of the United States by the laws of God and man. These rights rise in importance immeasurably above all party triumphs and party creeds, all local laws and false political theories. The liberty of speech, the freedom of the press, the freedom of religious worship under just and reasonable laws must, and will be maintained and perpetuated by the people of these United States, in defiance of all opposition, and even by the free use of the sword if all other means shall fail.

In conclusion, Senators and Representatives, I rest in the firm belief that you will labor diligently and successfully in the discharge of your difficult and important duties; and that the results of your legislation will promote the general welfare of the State, and improve the condition of the various public and private interests confided to your care by the people of Indiana; and to that end may all your deliberations be guided by "that wisdom which cometh down from on high."

HENRY S. LANE.

The President of the Senate, Hon. John R. Cravens, hereupon addressed the Joint Session, and introduced the Hon. Oliver P. Morton, who was sworn into office as Lieutenant Governor of the State of Indiana, by the Hon. Samuel E. Perkins, one of the Judges of the Supreme Court thereof.

The purposes for which the Joint Session had convened being declared by the President of the Senate accomplished, the Senate repaired to its Chamber.

The Hon. Oliver P. Morton, Lieutenant Governor, having taken the chair as President of the Senate,

On motion by Mr. Cravens,
The Senate adjourned.

TUESDAY MORNING, 9 O'CLOCK, }
January 15, 1861. }

The Senate met.

The Journal of the preceding day was read.

The President laid before the Senate the following communication from the Doorkeeper :

MR. PRESIDENT :

In obedience to a resolution of the Senate, adopted on yesterday, I have waited on Messrs Bingham & Doughty, of the Daily State Sentinel, and on Mr. Tilford, President of the Indianapolis Journal Company, and have received from them the communication herewith transmitted :

“INDIANAPOLIS, January 14, 1861.

We cannot comply with the terms of the within resolution.

BINGHAM & DOUGHTY,
Proprietors Daily State Sentinel.
J. M. TILFORD,
President Indianapolis Journal Company.”

The President appointed Senators March, Anthony, Steele, Conner, Line and Hamilton, a joint committee of correspondence and reception on the part of the Senate, in accordance with House joint resolution, inviting the Hon. Abraham Lincoln to visit this Legislature.

RESOLUTIONS.

Mr. Murray offered the following resolutions :

Resolved, That in casting our votes for Abraham Lincoln for Presi-

dent of the United States, we were actuated by a high sense of duty which we owed to ourselves and to our country; that we understand fully the nature of the issues involved in the late campaign, and have no apologies to offer, nor favors to ask of any man or set of men, North or South, who take the position that our candidate ought not to be peacefully inaugurated, and allowed to administer the Government on the basis of the Chicago Platform, which has been so signally approved by the people, and in strict conformity with the Constitution and laws of the Union.

Resolved, That in the opinion of this meeting, it is necessary and virtually essential to the very existence of the Government framed by our fathers, that all parties should cheerfully submit to the will of the majority, as constitutionally expressed, and that all parties, and all sections of our common country are equally interested in maintaining inviolate this fundamental principle of the Constitution of the United States, and that we have no compromises or concessions to make with those who array themselves in opposition to this principle.

Resolved, That in the opinion of this meeting, the leading secessionists of the South desire no compromise, from the fact that they offer no propositions as a basis of settlement, except those they know will be refused, from the fact that they would establish slavery in all the Territories and all the States, irrevocably and forever, and that therefore it is useless to talk about conciliation and compromise.

Resolved, That we approve the firm and patriotic course of our Representative in Congress, Hon. Charles Case, in refusing to be a party to any degrading compromise, or to treat with men in open rebellion against their country, and assure him of our hearty co-operation and support in every effort to maintain the national honor.

Resolved, That if further evidence were wanting of the propriety and necessity of our supporting the Chicago nominees and platform, recent events in South Carolina, and some nearer home have demonstrated the fact that a portion of our opponents at least, are determined to rule the country or to ruin it; and hence we are more than ever rejoiced at the noble stand we took for the Constitution and the Union, and if we had to vote again to-day, we would support our noble Lincoln and Hamlin with tenfold more alacrity and firmness than on the 6th of November.

Resolved, That the determination manifested by New England, Pennsylvania, New York and others of the Free States, as manifested by the recent messages of their respective Governors, to put their States in a position to respond to the call of the National Executive with any amount of troops that may be necessary to preserve inviolate the Constitution and the Union, meets our unqualified approval; and we earnestly recommend to the incoming Executive of the State

of Indiana to suggest a similar course to be pursued by our own State.

Resolved, That the hostility of the people of the South has been engendered against the Republican party, not on account of its political creed, designs or acts, but in consequence of the gross misrepresentations persistently made by their enemies, charging them with Abolitionism and an intention to do violence to Southern institutions.

Resolved, That the Constitution as it came from the hands of the fathers of the Republic we recognize as the great chart of human liberty; that we are ready to yield obedience to its every word, syllable and letter, and to pledge to its maintenance inviolable, our lives, our fortunes and our sacred honor.

Resolved, That we are opposed alike to legal enactments by Congress and constitutional amendments, whereby new guaranties or concessions shall be made to the institution of human slavery, and more especially do we solemnly protest against its further spread over the free Territories of the Union.

Resolved, That the conduct of Major Anderson, the commander of Fort Sumpter, when left unaided to the mercies of a mob, in resolving by every means in his power to preserve untarnished the honor of the national flag, is worthy of the highest commendation, and that he is entitled to the thanks of every man in whose bosom burns a spark of patriotism.

Resolved, That while we regret to see in our midst a press in sympathy with Southern treason and apologizing for the acts of the enemies of the Union, we are gratified to know the pulsation of the hearts of the masses of all parties are true to the Union, and that they are ready to sustain the flag of their country against foes without and foes within, as their fathers were to achieve the National Independence in 1776.

Resolved, That in the recent dispatches informing us that the President has finally concluded to act upon the advice of the Union men in his Cabinet and enforce to some extent the laws of the land in South Carolina, gives us a faint cause to hope that he has seen the error of his way and will hereafter use some portion of the power of the general government on the side of law and order; and, if so, we shall to that extent be as ready to approve as we have heretofore been to condemn.

Finally, *Resolved*, That, in the language of the brave old hero of New Orleans, "The Union—it must and shall be preserved."

Resolved, That a copy of the proceedings of this meeting be for-

warded to Hon. Charles Case, our Representative in Congress, and that the Hon. C. L. Murray be requested to lay a copy of the same before the Senate of the State of Indiana.

Which under the rule were referred to the Committee on Federal Relations.

REPORTS FROM SELECT COMMITTEES.

Mr. Anthony, from a select committee on Stationery, made the following report:

The select committee of three appointed to provide a plan for obtaining Stationery for the use of the Senate, and the proper distribution of the same, have had the subject matter of the reference under consideration, and direct me to report the following resolutions, and recommend their adoption:

Resolved, That the Librarian be directed to procure, as economically as possible, all Stationery necessary for the use of the Senate during the present session, and safely keep the same in the Library rooms, under his own charge, subject to be delivered to the Principal and Assistant Secretary and members of the Senate, in such quantities as they may require, upon written order to be delivered to said Librarian at the time the same is obtained, which order the Librarian shall retain and carefully file away, as a voucher of the amount so delivered.

Resolved, That the Librarian be directed to have printed and laid upon the table of each member of the Senate blanks of the following form:

“STATE LIBRARIAN—

“Deliver to the bearer for my use—

- Letter Paper;
- Legal Cap;
- Foolscap;
- Envelopes;
- Pens;
- Pencils.”

That the Librarian procure the Stationery from the Secretary of State, who shall keep an accurate account of the same and take the Librarian's receipt, and the State Librarian shall report every two weeks the amount of Stationery purchased for and the amount used by the Senate.

Mr. Murray moved the following amendment :

Amend by empowering the Clerk of the Stationery Room to keep an accurate account of the Stationery furnished to each Senator during the session, and report the same to the Senate at the close of the session.

Mr. Mellett moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Murray and Dickinson.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Craven, Cravens, DeHart, Grubb, Hamilton, Hull, Johnston, Line, Mellett, Miller, Newcomb, O'Brien, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams and Wilson—28.

Those who voted in the negative were,

Messrs. Campbell, Carnahan, Cobb, Conley, Dickinson, Ferguson, Jones, Landers, Lomax, March, Murray, Odell, Ray, Shields, Shoemaker, Shoulders, Slack and Wolfe—18.

So the amendment was laid upon the table.

Mr. Tarkington moved the following amendment :

Amend by inserting in the proper place that the Principal Secretary procure of the Librarian the Stationery necessary for the use of the Senate, and that the Senators and Secretaries procure Stationery upon the order through the said Secretary, as designated in the report, and that the Secretary report the amount at the end of the session.

Mr. Wagner moved to lay the amendment on the table,
Which was agreed to.

The report was then concurred in by the Senate.

Mr. Line, from a Select Committee, made the following report :

MR. PRESIDENT—

The Select Committee of three to whom was referred the revision of the Rules of the last Senate, with a view of adapting them to

the government of the present Senate, have had the same under consideration, and have directed me to make the following report, in which the Committee do most respectfully request the concurrence of the Senate :

First. That we recommend the Rules adopted for the governing of the last Senate, without any alteration, for the government of the present session. .

Second. That your Committee do recommend Joint Rules (marked A), as agreed to by your Committee, and a like Committee on the part of the House, to govern the General Assembly in Joint Convention.

Third. That your Committee recommend the printing of two hundred copies of the Rules and Joint Rules, carefully indexed, at as early an hour as practicable, for the use of the Senate, and that the Order of Business and Standing Committees be in like manner printed with the Standing Rules.

[*Paper A.*]

Rules to govern the General Assembly of the State of Indiana, in Joint Convention.

First. That upon any meeting in Joint Convention of the Senate and House of Representatives, the President of the Senate shall preside over the Convention, and in case of his absence the Speaker of the House shall preside; and if neither the President of the Senate or the Speaker of the House shall be present, then the Convention by a majority of all the votes shall elect a presiding officer.

Second. The Joint Convention of the Senate and the House shall not have power to transact any business or take action upon any other subject than that agreed upon by the Joint Resolution of both Houses; and the Convention shall have power to adjourn upon its own motion, and meet for the completion of the business for which the Convention was convened; and upon the completion of the business for which said Convention was convened, the presiding officer shall adjourn said Convention.

Third. A quorum to transact business in said Joint Convention shall consist of two-thirds of all the members of each House.

Which report was concurred in by the Senate.

By unanimous consent,
Mr. Slack offered the following resolution:

Resolved, That the Doorkeeper be instructed to contract for and procure for the use of the Senate, three copies each of the Daily State Sentinel, and Daily Journal, two copies of each to be enveloped and stamped, and also three copies of the Weekly Indiana Vocksblatt and Fric Presse, each to be enveloped and stamped for the use of each member, and the officers elect of the Senate.

Mr. Stone moved the following amendment :

To strike out "three copies each of the State Sentinel and Journal" and insert one of each for the use of Senators.

Mr. Newcomb moved the following amendment to the amendment :

Resolved, That each member of the Senate be authorized to subscribe for any number of newspapers published in the city of Indianapolis not exceeding six copies daily. The subscriptions made by the several Senators shall be by them reported to the Senate, and provision shall be made in the specific appropriation bill for payment for said papers, to the publishers thereof, at a rate not exceeding the prices paid for similar papers at the last session of the General Assembly.

Mr. Johnston moved to lay the amendment to the amendment on the table.

The ayes and noes being demanded by Senators Johnston and Carnahan,

Those who voted in the affirmative were,

Messrs. Dickinson, Hamilton, Johnston, Jones, Mellett, Murray, Ray, Shields, Shoulders, Slack, Stone, and Williams—13.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven of Madison, Cravens of Jefferson, DeHart, Ferguson, Grubb, Hull, Landers, Line, Lomax, March, Miller, Newcomb, O'Brien, Odell, Robinson, Shocmaker, Steele, Tarkington, Teegarden, Turner, Wagner, and Wilson—33.

So the amendment was not laid upon the table.

The question recurring on the adoption of the amendment, it was agreed to.

Mr. Line moved to fill the blank with six.

Mr. Mellett moved to lay the resolution, as amended, upon the table,
Which was not agreed to.

Mr. Slack moved to refer the resolution to a select committee of three,
Which was not agreed to.

Mr. Slack moved to amend by striking out six and inserting nine.

Mr. Anthony moved to lay the motion on the table.

The ayes and noes having been demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Ferguson, Grubb, Hull, Jones, Landers, Line, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Shoulders, Steele, Stone, Teegarden, Wilson and Wagner—32.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Dickinson, Hamilton, Mellett, Murray, Slack, Tarkington, Turner and Williams—11.

So the amendment was laid upon the table.

Senator Johnson declining to vote.

Mr. Slack moved the following amendment:

By inserting in the proper place, "three copies of the Indiana Volksblatt, and Free Press, in addition to the number prescribed."

Mr. ——— moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Ferguson, S. J.—5.

Grubb, Hull, Johnston, Landers, Lomax, March, Miller, Newcomb, O'Brien, Odell, Robinson, Steele, Stone, Tarkington, Teegarden, Turner and Wilson—31.

Those who voted in the negative were,

Messrs. Cobb, Dickinson, Hamilton, Jones, Line, Mellett, Murray, Ray, Shields, Shoulders, Slack, Williams and Wolfe—13.

So the amendment was laid upon the table.

The question being upon Mr. Line's motion to fill the blank with the number six,

The ayes and noes were demanded by Senators March and Steele.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Line, Murray, Newcomb, O'Brien, Odell, Shields, Shoemaker, Shoulders, Steele, Tarkington, Teegarden, Turner and Wilson—31.

Those who voted in the negative were,

Messrs. Beeson, Conner, Johnston, Landers, Lomax, March, Mellett, Miller, Ray, Robinson, Slack, Stone, Williams and Wolfe—14.

So the motion prevailed.

The question recurring upon the adoption of the original resolution as amended,

The ayes and noes were demanded by Senators Slack and Cobb.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, Newcomb, O'Brien, Odell, Shoemaker, Shoulders, Steele, Turner and Wilson—24.

Those who voted in the negative were,

Messrs. Beeson, Cobb, Conner, Craven, Johnston, Jones, Landers,

Lomax, March, Mellett, Miller, Murray, Ray, Robinson, Slack, Stone, Tarkington, Teegarden, Williams and Wolfe—20.

So the resolution was adopted.

On motion by Mr. Mellett,

Resolved, That the Secretary and Assistant Secretary, the Doorkeeper and Assistant Doorkeeper, be required to report to the Senate, on to-morrow morning, the number of assistants employed by each, and the duties discharged by each.

On motion of Mr. Slack,

Resolved, That the Doorkeeper be required to report to the Senate, the reason why he has not complied with the resolution of the Senate, ordering postage stamps for the use of the Senators and officers.

Mr. Turner offered the following preamble and resolution :

WHEREAS, By the erection and maintenance of a dam across the Calumet river, by the Trustees of the Illinois and Michigan Canal, at Blue Island in the State of Illinois, many thousand acres of valuable land in our own State are overflowed, and thereby rendered worthless ; therefore,

Resolved, That the Committee on the Judiciary be directed to inquire by what right said dam is so maintained, what means may be necessary for its removal, and report by bill or otherwise,

Which was agreed to.

On motion, by Mr. Beeson,

Resolved, That the Committee on Finance be instructed to allow no claim that is not presented to said Committee at least ten days before the expiration of the Legislature, unless the same may accrue within the last ten days of the Session.

On motion by Mr. Tarkington,

Resolved, That a committee of three be appointed to examine the office of the Auditor of State, and settle with said officer, and report the result of their examination to this Senate.

On motion by Mr. Williams,

Resolved, That a committee of one from each Congressional Dis-

trict be appointed for the purpose of Districting the State for Senatorial and Representative purposes.

On motion by Mr. Murray,

Resolved, That the Committee on Education inquire into the expediency of so amending the school law as to define who are entitled to vote at school meetings.

On motion by Mr. Mellett,

Resolved, That no committee shall be authorized to employ a Clerk without leave of the Senate. And no Clerk of a committee shall receive any pay for services rendered prior to such leave being granted.

On motion by Mr. Ferguson,

Resolved, That the Committee on the Judiciary be instructed to inquire what further legislation is necessary, if any, in regard to proceedings supplementary to execution, and report by bill or otherwise.

On motion by Mr. Line,

Resolved, That we do hereby tender our sincere thanks to the Hon. John R. Cravens, for the able and impartial manner in which he has presided over the deliberations of the Senate since its present organization.

JOINT RESOLUTIONS INTRODUCED.

Mr. Hamilton introduced

Senate joint resolution No. 3. A joint resolution on the state of the Union and giving expression to the sense of the General Assembly on the present condition of the country.

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Ray introduced

Senate joint resolution No. 4. A joint resolution memorializing the Congress of the United States to call a National Convention to consider amendments to the Federal Constitution.

Mr. Johnston moved to suspend the rule which required that the resolution should be referred to the Committee on Federal Relations.

Mr. Wagner moved to lay the motion upon the table.

The ayes and noes being demanded by Senators Johnston and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven of Madison, Cravens of Jefferson, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, and Wagner—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson, and Wolfe—21.

So the motion to suspend the rule was laid upon the table.

The Joint Resolution was then, under the Rule, referred to the Committee on Federal Relations.

Mr. Slack offered the following resolution:

Resolved, That the Committee on Federal Relations be instructed to report back on to-morrow morning, without amendment, the memorial and joint resolution this morning submitted by the Senator from Shelby.

Mr. Wagner moved to lay the resolution on the table.

The ayes and noes being demanded by Senators Slack and Johnston,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—
21.

So the resolution was laid upon the table.

On motion by Mr. Murray,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate the following communication, with the accompanying Reports:

INDIANAPOLIS, Jan. 15th, 1861.

HON. O. P. MORTON,

President of the Senate—

DEAR SIR: I this day lay before the honorable body over which you preside, a Report for the past year (1860) of each of the Benevolent Institutions, to-wit:—The Hospital for the Insane, and the Institutes for the Education of the Deaf and Dumb and the Blind, and most respectfully call the attention of Senators to the subject matter of each report.

Very respectfully,

W. H. TALBOTT,
President of the Board of Commissioners.

On motion by Mr. Line,

The Reports of the Officers of the Benevolent Asylums were laid upon the table, and two hundred copies of each ordered to be printed.

On motion by Mr. Bearss,

Resolved, That the Doorkeeper be instructed to purchase three

dollars' worth of postage stamps for the use of the President of the Senate.

The following resolution was offered by Mr. Murray :

That the Reporters admitted to seats on the floor of the Senate, to report its proceedings, be allowed the same privileges as respects Stationery, as are allowed to members of the Senate.

Which was not agreed to.

The President laid before the Senate the Report of the Trustees of the Wabash and Erie Canal, and the Reports of the State Bank and Branches.

TRUSTEES' OFFICE, WABASH AND ERIE CANAL, }
TERRE HAUTE, Jan. 8, 1861. }

HON. JOHN R. CRAVENS,

President of the Senate—

SIR—Herewith I have the honor to transmit the Annual Report of the Trustees of the Wabash and Erie Canal, as required by law, and request that the same be laid before the Senate.

Very respectfully, your obedient servant,

THOS. DOWLING, *Resident Trustee.*

On motion by Mr. Bearss,

The Report of the Canal Trustees was laid upon the table, and three hundred copies thereof ordered to be printed.

On motion by Mr. Beeson,

The Report of the Officers of the State Bank and Branches was laid upon the table, and one hundred copies ordered to be printed.

On motion by Mr. Blair,

Resolved, That a select committee of five be appointed to inquire what has been done toward procuring a site for a House of Refuge, and what further legislation may be necessary to provide such an institution, for the correction and reformation of juvenile offenders, with leave by bill or otherwise.

The President appointed Senators Blair, Craven, Turner, Line and Conley said select committee.

BILLS INTRODUCED.

Mr. Anthony introduced

Senate bill No. 28. A bill for the organization of the Indiana Militia, prescribing duties of certain officers, providing for a military fund and its disbursement; for punishing failures, refusals and negligence in connection with the service; and for the repeal of all existing laws having reference to said Militia.

Mr. Anthony moved to suspend the rules and read the bill a first time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bears, Beeson, Blair, Campbell, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, March, Mellett, Murray, Newcomb, O'Brien, Odell, Robinson, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson and Wolfe—34.

Those who voted in the negative were,

Messrs. Berry, Cobb, Culver, Johnston, Jones, Lomax, Shields and Shoulders—8.

So the rules were suspended and the bill was read a first time by its title.

On motion by Mr. Anthony,

The rules were suspended and the bill was read a second time by its title.

On motion by Mr. Wagner,

The bill was laid upon the table, and three hundred copies thereof ordered to be printed for the use of the Senate.

Mr. Turner introduced

Senate bill No. 29. An act to amend section fourteen of an act entitled "An act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Blair introduced

Senate bill No. 30. A bill to amend sections four, five, eighteen, twenty, twenty-one and twenty-two, of an act entitled "An act regulating general elections and prescribing the duties of officers in relation thereto," approved June 7, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hamilton introduced

Senate bill No 31. A bill to perfect the title of purchasers of railroads sold by foreclosure or other proceedings in law or equity, or pursuant to the provisions of mortgage or deed of trust, or by the joint exercise of those authorities, and to enable them to organize corporations, and to exercise corporate and other powers.

Mr. Anthony moved to suspend the rules and read the bill a first time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven of Madison, Cravens of Jefferson, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson, and Wolfe—42.

Those who voted in the negative were,

None.

So the rules were suspended, and the bill was read a first time by its title and passed to a second reading on to-morrow.

Mr. Murray introduced

Senate bill No. 32. A bill to amend an act entitled an "act to provide for the valuation and assessment of real and personal property, and the collection of taxes, the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 21, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wilson introduced

Senate bill No. 33. A bill to punish employees in railroad companies for embezzling or stealing railroad tickets, coupons or moneys belonging to such company, and prescribing the mode of punishment therefor.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wolfe introduced

Senate bill No. 34. A bill to amend sections two and five of "an act to regulate and license the sale of spiritous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1859.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wagner introduced

Senate bill No. 35. A bill to apportion Senators and Representatives for the next six years.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Miller introduced

Senate bill No. 36. A bill to amend the forty-ninth section of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wolfe introduced

Senate bill No. 37. An act to amend the first section of an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries, approved March 5, 1859.

Which was read a first time and passed to a second reading on tomorrow.

Leave being granted,

Mr. Line, from a select committee, made the following report :

MR. PRESIDENT :

The select committee to whom was referred the petition of sundry citizens of the county of Franklin, asking the Legislature to pass a law authorizing county auditors to purchase dockets for justices of the peace, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

Senate bill No. 38. A bill authorizing county auditors to purchase justices' dockets and to pay for the same out of the county treasury, and to provide for the safe-keeping of the same, contained in said report,

Was read a first time and passed to a second reading on to-morrow.

Mr. Ferguson introduced

Senate bill No. 39. A bill to give the same force and effect to surveys made by city surveyors, in certain cases, as if made by county surveyors, and authorizing appeal therefrom.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Claypool introduced

Senate bill No. 40. A bill for the protection of fish, and defining the penalties for the violation of this act, and the recovery of said penalties.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Claypool,
The Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
January 16, 1861. }

The Senate met.

The Journal of the preceding day was read.

The President announced Messrs. Tarkington, March and Newcomb a committee to examine the office of the Auditor of State, and settle with said office, in accordance with a resolution of the Senate adopted on yesterday.

The President appointed Senators Williams, Anthony, Cravens, Line, Mellett, Newcomb, Johnston, Wagner, Bearss, Hamilton and Conner a committee of one from each Congressional District for the purpose of districting the State for Senatorial and Representative purposes.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Miller presented a memorial from the board of county commissioners of St. Joseph county, asking that the law be so amended as to place "Manual Labor Schools" or Colleges, as to the property exempt from taxation, upon the same footing as other benevolent, charitable or scientific institutions,

Which,

On motion,

Was referred to the Committee on Judiciary.

Mr. Line presented a petition from sundry citizens of the State of Indiana, asking an amendment to "An act to provide for the protection of wild game,"

Which,

On motion,

Was referred to a select committee of three.

Mr. Claypool presented a petition from sundry citizens of the State of Indiana, on the same subject,

Which was referred to the same select committee.

Mr. Line presented a petition from sundry citizens of the State of Indiana, asking the Senate to pass an act for the protection of fish,

Which,

On motion,

Was referred to the select committee on that subject.

Mr. Claypool presented a petition from sundry citizens of the State of Indiana, on the same subject,

Which was referred to the same select committee.

The President laid before the Senate the following communications from the Principal Secretary, Assistant Secretary and Doorkeepers of the Senate :

SENATE CHAMBER, }
January 15th, 1861. }

MR. PRESIDENT:

In obedience to a resolution of the Senate adopted on yesterday, I submit the following report of the number of assistants employed by me, and the respective duties of each, to-wit:

One reading clerk, who assists me in reading at the desk, and in superintending the engrossing and enrolling department.

One registering clerk, whose duty it is to endorse upon bills their titles, and the action of the Senate thereon, and to register the same in a book for that purpose.

Two engrossing clerks, whose duty it is to engross and enroll bills.

I would state to the Senate, that towards the middle of the session, when the business of the engrossing and enrolling departments will be greatly increased, it may be necessary to employ additional assistance. Very respectfully,

JAMES N. TYNER,
Secretary of Senate.

SENATE CHAMBER, }
January 16, 1861. }

MR. PRESIDENT:

In obedience to a resolution adopted by the Senate on yesterday, I would respectfully report to the Senate, through you as presiding officer thereof, that the number of assistant clerks employed now by me number four, and that their duty consists in making copies of all papers necessary to be placed in the Journal of the Senate, such as resolutions, titles of bills, titles of joint resolutions, calls of the ayes and noes, and communications addressed to the Senate.

That the position occupied by each and all of them demands steady and continued labor at the desk during the day, and is frequently prolonged to the hour of 9 o'clock P. M., and that without such assistance it would be difficult to prepare the Journal of the Senate in proper form and at the proper time.

The undersigned would therefore respectfully suggest that it would not be in accordance with his purpose to employ any more assistants than may be necessary to aid him in fulfilling his duties to the satisfaction of the Senate of Indiana.

All of which is respectfully submitted.

Your obedient servant,

FRANCIS P. GRIFFITH,
Assistant Secretary of Senate.

TO HON. OLIVER P. MORTON,

President of the Senate:—

SIR:—In accordance with the resolution of the adopted by the Senate, requiring the doorkeeper and assistant doorkeeper to report the number of their assistants and their duties, we have the honor to submit the following:

James Newbanks—making fires, sweeping and keeping order in the east lobby.

Isaac Ohaver—making fires, sweeping and keeping order the west lobby.

W. H. Clark, and H. Peden—folders.

A. J. Reily—distributing stationery and documents.

John Myer—keeping in order four committee rooms.

W. C. Cochran—messenger.

Charles Dennis, and Frank Conley—pages in Chamber.

C. Stephens—attending to furnace.

S. G. THOMPSON,
Doorkeeper Senate.

R. H. LITSON,
Ass't Doorkeeper Senate.

Which,

On motion,

Were referred to the Committee on Finance.

REPORTS FROM SELECT COMMITTEES.

Mr. Conley, from a select committee, made the following report:

MR. PRESIDENT—

A majority of the committee to whom was referred Senate bill No. 6, an act to repeal an act entitled "an act to authorize the formation of new counties and to change county boundaries," approved March 7th, 1857, have had the same under consideration and have directed me to report it back with the following amendment, and when so amended, recommend its passage:

Amend section one, line six; after the figures 1857 add the following:

“and the act amendatory thereto, approved March 5th, 1859.”

A majority of the committee beg leave to add, as the chief reason for their recommendation, that the House Journal for 1859 shows that the bill *as published* never received the sanction of a majority of the House; that before its passage it was referred to a special committee, with the the following instructions: “To provide that no new county shall be formed without the consent of a majority of the qualified voters of the county or counties out of which the same is to be formed” (*House Journal page 1062*); that afterwards the select committee reported the bill back, stating that they had had the same under consideration, and had been directed to report the same back with the amendments, in accordance with the instructions, and to recommend its passage; that the report was concurred in (*House Journal, page 1083*), and that it was then put upon its passage, thus clearly showing that the bill as published is wholly invalid.

Mr. Anthony moved to refer the report to the committee on County and Township Business.

Mr. Wagner moved the following amendment:

Recommit, with instructions to strike out all that relates to the act of 1857.

Mr. Conner moved the following amendment to the amendment:

Refer the report and pending amendments to the committee on County and Township Business, with instructions to report what legislation seems to be required on the subject, and report such bill as may be agreed upon by the committee,

Which was adopted.

The question recurring on Mr. Anthony's motion to refer the report of the select committee to the committee on County and Township Business,

The same was not agreed to.

Mr. Wagner moved to amend by striking out all that part of the bill relating to the law of 1857, and to concur in the report as amended.

Mr. Tarkington moved to lay the motion on the table.

The ayes and noes being demanded by Senators Steele and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Jones, Landers, March, Mellett, Miller, Newcomb, Ray, Shoemaker, Shoulders, Slack Stone, Turner, Wilson and Wolfe—30.

Those who voted in the negative were,

Messrs. Berry, Cobb, Dickinson, Hull, Johnston, Line, Lomax, Murray, Odell, Robinson, Steele, Teegarden, Wagner and Williams—14.

So the motion was laid upon the table.

Mr. Williams offered the following amendment:

Recommit to the same committee, with instructions to strike out all that relates to the law of 1857,
Which was not adopted.

On motion by Mr. Tarkington,

The report was concurred in and the bill ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Murray,

The order of business was suspended, and the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House to inform the Senate of the adoption of the following resolution:

Resolved, That the Senate be invited to meet this House at 2 o'clock, P. M., for the purpose of electing a United States Senator, and that seats be provided for them on the right of the Speaker's chair.

Mr. Murray moved to concur in the message, pending which, Mr. Wagner moved to postpone the further consideration of the message until 2 o'clock, P. M.

Mr. Shields moved that the Senate do now adjourn,
Which was not agreed to.

Mr. Murray moved to lay the motion to postpone on the table.

The ayes and noes being demanded by Senators Wagner and Anthony,

Those who voted in the affirmative were,

Messrs. Bearss, Berry, Claypool, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Line, Miller, Murray, Newcomb, Shoemaker, Stone, Turner, Williams, and Wolfe—17.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven of Madison, Cravens of Jefferson, Culver, DeHart, Hull, Jones, Landers, Lomax, March, Mellett, O'Brien, Ray, Robinson, Shields, Shoulders, Slack, Steele, Tarkington, Teegarden, Wagner, and Wilson—29.

So the motion was not laid upon the table.

The question recurring upon Mr. Wagner's motion to postpone, the same was agreed to.

RESOLUTIONS.

Mr. March offered the following resolution :

Be it resolved, By the Senate, the House concurring therein, That the Senate and House of Representatives will proceed at two o'clock, P. M., to the choice of a person to represent this State in the Senate of the United States, for the term of six years from and after the fourth of March next, and that a majority of each House shall be necessary to such choice.

On motion by Mr. Wagner,

The consideration of the resolution was postponed until two o'clock, P. M.

On motion By Mr. Slack,

Resolved, That the Doorkeeper is hereby instructed to procure for the members of the Senate their mail matter from the postoffice, and distribute the same to each member, and that he make such distribution twice each day.

Mr. Line offered the following resolution :

Resolved, That the Doorkeeper be directed to procure a printed S. J.—6.

list of rates of postage on the public documents that may be presented to the Senate, and to post the same in several conspicuous places in the Senate Chamber.

Mrr. Blair moved to strike out the word "printed," and insert "written."

Which was not agreed to.

The question then recurring on the adoption of the resolution, it was agreed to.

On motion by Mr. DeHart,

Resolved, That Col. John Vawter, a soldier of the War of 1812, and who is now in the city, be invited, together with all soldiers of that War, who may visit the Capitol during the present Session of the Legislature, to take seats within the bar of the Senate.

On motion by Mr. Murray,

The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Mr. March having withdrawn his resolution, the consideration of which had been postponed until two o'clock, P. M.,

Mr. Cravens offered the following joint resolution:

Resolved, That the Senate and House of Representatives shall, upon the passage of this resolution, by either House, proceed immediately thereupon to choose a person to represent this State in the Senate of the United States for six years from and after the fourth of March next.

Second, That the person who shall receive a majority of the votes given in both Houses, shall be declared duly elected to serve as such Senator.

Third, The President and the Secretary of the Senate, and the Speaker and Clerk of the House of Representatives shall, immediately on the choice as herein provided for by their respective Houses, certify the same to the Governor, who shall commission the person chosen as such Senator.

Mr. Slack moved to lay the resolution upon the table.

The ayes and noes having been demanded by Senators Slack and Ferguson,

Those who voted in the affirmative were,

Messrs. Cobb, Conley, Ferguson, Johnston, Landers, Lomax, Miller, O'Brien, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson, Wolfe—16.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Line, March, Miller, Murray, Newcomb, Odell, Robbins, Shields, Steele, Stone, Teegarden, Turner, Wagner—31.

So the motion to lay upon the table did not prevail.

Pending the consideration of Mr. Cravens's resolution,

Mr. Cravens moved to lay the House message, the consideration of which had been postponed until two o'clock P. M., upon the table.

The ayes and noes being demanded by Senators Slack and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Odell, Robbins, Robinson, Steele, Stone, Teegarden, Turner and Wagner—29.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Line, Landers, Lomax, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—19.

So the message was laid upon the table.

The question recurring upon the adoption of the joint resolution,
Mr. Cravens moved the previous question.

Upon seconding the previous question,

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Robbins, Robinson, Steele, Stone, Teegarden, Turner and Wagner—28.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—20.

So the previous question was seconded.

The question recurring upon the adoption of the resolution,
It was agreed to.

Mr. Wagner nominated for the office of United States Senator,
Henry S. Lane.

Mr. Line nominated for the office of United States Senator, Joseph
A. Wright.

A vote being taken by calling the roll of Senators,

Those who voted for Henry S. Lane were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven of Madison, Cravens of Jefferson, Culver, DeHart, Dickinson, Grubb, Hamilton, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, and Wagner—27.

Those who voted for Joseph A. Wright were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoe-

maker, Shoulders, Slack, Tarkington, Williams, Wilson, and Wolfe—
21.

Henry S. Lane having received a majority of all the votes cast, was declared duly elected, upon the part of the Senate, United States Senator for six years from and after the fourth day of March, A. D. 1861.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Conner,

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House to inform the Senate, that the House has passed the following concurrent resolution :

Resolved, That the Senate concurring, the General Assembly will now proceed to the election of a United States Senator by concurrent vote of the two Houses.

In which the concurrence of the Senate is respectfully requested,
Which,

On motion by Mr. Conner,
Was concurred in.

Mr. Slack offered the following resolution :

Resolved, That the Doorkeeper procure for the use of Senators and the officers of the Senate, three copies each of the following papers : Daily Sentinel, Daily Journal, Weekly Indiana Volksblatt, and Frie Press, two copies of the Sentinel and Journal to be enveloped and stamped, and three copies of the Volksblatt and Press to be enveloped and stamped.

Mr. Ray moved the previous question,
Which was not seconded.

On motion by Mr. Wagner,

The resolution of Mr. Slack was laid upon the table.

Mr. Line moved to reconsider the vote on the adoption of the report of the select committee respecting newspapers, which had been adopted by the Senate on yesterday.

Mr. Wagner moved to lay the motion to reconsider on the table.

The ayes and noes having been demanded by Senators Wagner and Steele,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Culver, Dehart, Grubb, Hamilton, Hull, March, Miller, Newcomb, Robinson, Steele, Stone, Teegarden, and Wagner—20.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Johnston, Jones, Landers, Line, Lomax, Mellett, Murray, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Turner, Williams, and Wilson—26.

So the motion to reconsider was not laid upon the table.

The question recurring upon the motion to reconsider,

The ayes and noes having been demanded by Senators March and Teegarden,

Those voting in the affirmativs were,

Messrs. Anthony, Berry, Blair, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Johnston, Jones, Landers, Line, Lomax, Mellett, Murray, O'Brien, Odell, Ray, Shields, Shoulders, Slack, Tarkington, Teegarden, Turner, Williams, Wolf—32.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Campbell, Claypool, Hamilton, Hull, March, Miller, Newcomb, Robinson, Shoemaker, Steele, Stone, Wagner, Wilson—15.

So the motion to reconsider prevailed.

On motion by Mr. Slack,

The report of the select committee was laid upon the table.

The President laid before the Senate the following communication:

To the President of the Senate of Indiana:

You will please to present to the Honorable body over which you preside, the annexed communication:

To the General Assembly of the State of Indiana:

Having been elected to the Senate of the United States by your Honorable Body, for the term of six years, commencing on the 5th of March, 1861, I hereby resign the office of Governor of the State of Indiana, the resignation to take effect on the receipt of this communication. In tendering to you my resignation, I desire, through you, to return to the people of Indiana my heartfelt gratitude and sincere thanks, for the honor conferred upon me in elevating me to the high and responsible office of Governor of the great State of Indiana, and also to assure them that nothing but a strong sense of public duty could have induced me to tender this resignation.

The Senate will please to have this letter entered upon their journals.

H. S. LANE.

January 16th, 1861.

The communication was ordered to be entered upon the Journal of the Senate.

On motion by Mr. Steele,
The following messages from the House were taken up:

MR. PRESIDENT—

I am directed by the House to inform the Senate that the House has concurred in the passage of the following resolution of the Senate:

Resolved, That the Senate and House of Representatives shall, upon the passage of this resolution by either House, proceed immediately thereupon to choose a person to represent this State in the Senate of the United States for six years from and after the fourth day of March next.

Second. That the person who shall receive a majority of the votes given in both Houses, shall be declared duly elected to serve as such Senator.

Third. The President and Secretary of the Senate and the Speaker and Clerk of the House of Representatives shall, immediately on the choice as herein provided for their respective Houses, certify the same to the Governor, who shall commission the person so chosen as such Senator.

MR. PRESIDENT—

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Clerk inform the Senate that in pursuance of a concurrent resolution of both Houses, the House has, by a *viva voce* vote, elected Henry S. Lane United States Senator for six years from and after the 4th day of March, 1861.

Resolved, That the Senate be invited to attend in the Hall of the House *instantly*, to attend the ceremony of administering the oath of office to the Hon. O. P. Morton, the Lieutenant Governor, who, in consequence of the resignation of Governor Lane, has become Governor of the State of Indiana, and that seats be provided for them on the right of the Speaker's chair,

Which,

On motion by Mr. Turner,
Was concurred in by the Senate.

The Senate, preceded by its President, repaired to the Hall of the House of Representatives.

The President of the Senate called the joint meeting of the two Houses to order.

The Hon. Oliver P. Morton, Lieutenant Governor of the State of Indiana, having, by virtue of the election of Henry S. Lane to the office of United States Senator and by his resignation of the office of Governor, become Governor of the State of Indiana, was duly introduced by the President of the Senate and sworn into office as such by the Hon. Samuel E. Perkins, one of the Judges of the Supreme Court, and delivered the following address:

Gentlemen of the Senate:

I beg leave to return you my thanks for the courtesy and kindness extended to me during our very brief official intercourse. That intercourse was just long enough to exhibit, on my part, the awkwardness of the novice, without the improvement and facility resulting only from experience. In the new position in which I am placed, I trust that our relations, both social and official, may continue satisfactory and pleasant.

Gentlemen of the Senate and House of Representatives:

Called by the Constitution to perform the duties of the office of

Governor, it will not be expected, under the circumstances, that I should deliver a formal inaugural address, I can only pledge myself to you, and through you to the people of Indiana, to the extent of my ability, a faithful and economical administration; to take care that the laws be enforced; and to resist extravagance and speculation, come in what form they may.

The financial affairs of our State are in great confusion and embarrassment. It will be among your first duties carefully to investigate their condition, which, having done, you will then be able to devise the necessary remedies, and apply them as far as may be in your power. The people of this State have been promised retrenchment and reform. That promise *can and must be redeemed*.

The times in which we are called to act are full of gloomy portents, counseling us to discretion, moderation and firmness, and I shall gladly co-operate with you in all measures having for their purpose the prosperity and well-being of our beloved commonwealth, and the preservation of the glorious and precious Union of these States.

The President of the Senate having declared the business for which the two Houses had been called together accomplished, the Senators repaired to their Chamber.

On motion by Mr. Murray,
The resolution of Mr. Slack was taken from the table.

Mr. Newcomb moved to amend the resolution by adding the Weekly Indiana American.

Mr. Slack moved the previous question.

Upon seconding the previous question,

The ayes and noes being demanded by Senators Johnston and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Cobb, Conley, Conner, Craven, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Lomax, Mellett, Murray, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Turner, Williams, Wilson and Wolfe—31.

Those who voted in the negative were,

Messrs. Bearss, Blair, Campbell, Carnahan, Claypool, Cravens,

Hull, March, Miller, Newcomb, Odell, Robinson, Steele, Stone, Teegarden and Wagner—16.

So the previous question was sustained.

The question recurring on the adoption of the amendment offered by Mr. Newcomb,

The ayes and noes having been demanded by Senators Johnston and Bearss,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden and Turner—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Wagner, White, Williams and Wolfe—23.

So the amendment was adopted.

The question recurring upon the adoption of Mr. Slack's resolution,

The ayes and noes being demanded by Senators Johnston and March,

Those who voted in the affirmative were,

Messrs. Anthony, Berry, Cobb, Conley, Culver, DeHart, Dickinson, Ferguson, Grubb, Jones, Landers, Line, Lomax, Murray, Newcomb, O'Brien, Ray, Robbins, Shields, Shoulders, Slack, Turner, Williams and Wilson—24.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Hamilton, Hull, Johnston, March, Mellett, Miller, Odell, Robinson, Shoemaker, Steele, Stone, Tarkington, Teegarden, Wagner and Wolfe—23.

So the resolution as amended was adopted.

On motion by Mr. Claypool,
The Senate adjourned.

THURSDAY MORNING, 9 O'CLOCK, }
January 17, 1861.

The Senate met.

The Journal of the preceding day was read.

The office of President of the Senate having become vacant by the elevation of Lieutenant Governor Oliver P. Morton to the position of Governor of the State of Indiana, and Senator Wagner having taken the chair,

On motion by Mr. Williams,

The Senate proceeded to the election of a President thereof.

Mr. Conner nominated John R. Cravens for that position.

Mr. Line nominated William C. Tarkington for that position.

The roll of Senators being called,

Those who voted for John R. Cravens were,

Messrs. Anthony, Bearss, Beeson, Berry, Bleir, Campbell, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner—25.

Those who voted for William C. Tarkington were.

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Williams and Wolfe—18.

John R. Cravens having received a majority of all the votes cast, was declared duly elected President of the Senate.

On motion by Mr. Murray,

Senators Murray and Tarkington were appointed a Committee to conduct the Hon. John R. Cravens to the chair.

The Committee having performed that duty, the Hon. John R. Cravens took the chair as President, and addressed the Senate.

Senator Wagner having been called to the chair,

On motion by Mr. Line,

The remarks of the Hon. John R. Cravens were ordered to be spread upon the Journal.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Shields presented a petition from sundry citizens of Indiana, asking the enacting of a law authorizing County Treasurers to retain the distributive share for each county of the common school fund,

Which, on motion by Mr. Shields, was referred to the Committee on the Judiciary.

REPORTS FROM STANDING COMMITTEES.

Mr. Cravens, Chairman of the Committee on Federal relations, made the following report:

MR. PRESIDENT:

The Committee on Federal Relations have instructed me to report the following preamble and joint resolution, and ask that they may be adopted by the Senate as expressive of the sentiment of the people of Indiana, irrespective of party, on the present condition of public officers.

JOHN R. CRAVENS, Chairman.

Senate joint resolution No. 7. A joint resolution on the present condition of National affairs,

Which was read.

Mr. Murray moved to concur in the report, with the following amendment:

Resolved, That the Governor be respectfully requested to transmit a copy of the foregoing preamble and resolution to the President of the United States, to each of our Senators and Representatives in Congress, and to the Governors of the several States.

Mr. Tarkington offered the following amendment to the amendment.

To the Honorable, the Senate and House of Representatives of the United States in Congress assembled:

The State of Indiana, by Her Senators and Representatives in General Assembly convened, respectfully memorialize and represent to your Honorable Bodies, that she views with the utmost anxiety the perilous condition of the American Union, that she is moved by an imperative sense of duty to a common country in addressing the Congress of the United States on the portentous condition of public affairs, imploring your prompt action on some scheme of pacification that will preserve the Federal Union, and restore tranquillity to the country. Entertaining, as your memorialist does, the most profound conviction of the blessings, as well as the threatened dangers of the Union, she is ready to make great sacrifices to perpetuate the one and to avert the other.

At a time like this, when the foundations of the National Government are shaken, and its pillars crumbling away, it is the solemn duty of every State in the American Union to discard all specious fallacies in regard to slavery—all blind resentments for supposed aggressions—all pride and sectional animosities, and all partisan criminations, and forgetting the mutual provocations of the past, bring all offensive doctrines and platforms, all abstract theories and barren creeds, as sacrifices upon the altar of a common country.

The State of Indiana, not unmindful of her position or her duty in this respect as a conservative State of the Union, solemnly invokes the wisdom and patriotism of the National Congress to the noble work of fostering loyalty to the Federal Government, strengthening the bonds of the Union, removing all disturbing causes, staying the tide of revolution, and giving a peaceful solution to the great problem of the age. The labors and sacrifices of an immortal ancestry in devising this beautiful and complicated form of federal government, the experiment of civilized man for self-government, the happiness, the prosperity, the civilization and the destiny of the American race, hang, it is believed, upon the speedy and effective action of the American Congress. Events of an age are crowding themselves into hours—events of incalculable magnitude, fraught with the issues of union or disunion, peace or war, the rise or fall of a great empire.

The State of Indiana cannot but deplore the sectional madness and party infatuation, that would suffer the dismemberment of this confederacy on any theory, that the supposed integrity of a platform is of greater consequence than the existence of this government.

She takes great pride at this critical juncture in declaring to her sister States that the records of her past legislation are not stained by nullifying laws or personal liberty bills.

While the State of Indiana is firmly attached to the union of the States, and regards the unbroken peace of the country as an indis-

pensable condition of its continuance, and while she denies the asserted constitutional right of any State to secede from the Federal Union,—and while she recognizes a plain duty in the federal government to enforce the federal laws, and maintain federal supremacy over federal property, yet she recognizes the duty and the policy of moderation and forbearance on the part of the federal government towards the seceding States, and that at this juncture only the civil powers of the government can safely be used to enforce the laws; and in behalf of the Union and the peaceful enforcement of the laws, the State of Indiana exhorts the National Congress to second, by legislation, the efforts of the executive to enforce the laws by civil process; and while the State of Indiana recognizes as a last resort the inalienable right of revolution by a State for sufficient cause, and while she does not regard the election of Mr. Lincoln to the Presidency, alone, as furnishing sufficient cause for revolution,—yet, in frankness and justice to her sister States, she is bound to say, that the aggregate of grievances which the South has sustained at the hands of the North, including the election of a sectional President, upon a simple anti-slavery issue, does furnish good grounds of alarm to the slaveholding States, and justifies them in demanding concessions and new guarantees for the safety of their institutions.

The State of Indiana, therefore, not wholly despairing of the Republic, but greatly at loss for an adequate remedy for the impending catastrophe of a disrupted government, regards with great favor the series of propositions lately submitted by the Hon. John J. Crittenden to the Senate of the United States, as furnishing a basis for an adjustment which shall withdraw the further agitation of slavery from the national councils, as well as from Northern politics, correct public sentiment in the North, secure the return of the disloyal States, save the land of Washington from a sanguinary war, preserve the honor and the prestige of the American name, and perpetuate the liberties of a people who have wantonly put them at stake to abide the fortunes of revolution and the arbitrament of the sword.

For these, among other reasons, the State of Indiana prays for prompt action by the Congress of the United States in the passage of said proposition, looking to an amendment of the Federal Constitution to meet the exigencies of the occasion; and further, the State of Indiana, looking to the possible defeat of said scheme of adjustment, and looking to the fearful progress of the revolution, which must inevitably carry with it the pillars of the Constitution, and insure the horrors of civil war—she prays in that event, that your honorable bodies will unite in calling a National Convention of the States, to consider amendments to the Constitution of the United States.

In conclusion, your memorialist repeats, that the solution of the impending calamity is to be found in conciliation and compromise, and not in the power of the sword—which, if once drawn, will never be returned until every State in the Union has become a blood-stained desert—she asks that the People of the Nation may have an opportunity of speaking with their own lips and their own tongues, and

from their own hearts, and not through the uncertain medium of political oracles. Therefore,

Resolved, By the Senate, the House of Representatives concurring therein, that two copies of the foregoing memorials, certified by the President and Secretary of the Senate, and by the Speaker and Clerk of the House of Representatives, be and they are hereby directed to be forwarded to Washington City, the one copy to the Vice President of the United States, and the other to the Speaker of the House of Representatives, to be by them laid before the bodies over which they respectfully preside.

Mr. Ray, from a minority of the Committee on Federal Relations, presented the following report:

The undersigned, a minority of the Committee on Federal Relations, to whom was referred various resolutions and memorials relating to the condition of the Federal Union, beg leave to dissent from the report made by a majority of the committee, for the reason that the recommendations of said report do not meet, and are not equal to the demands of the crisis. They believe that the revolutionary condition of the country demands prompt action by this Assembly, by the Congress of the United States, and by the masses of the people, in favor of some tangible scheme of pacification and compromise, and with these views they respectfully dissent from the majority report, and present in the form of a memorial and joint resolution, the following minority report, and recommend its adoption by the Senate.

MARTIN M. RAY,
SIMEON R. WOLFE,
W. C. TARKINGTON,
A. B. LINE.

To the Honorable, the Senate and House of Representatives of the United States in Congress assembled:

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At a time like this, when the foundations of the National Govern-

ment are shaken, and its pillars crumbling away, it is the solemn duty of every State in the Union to discard all specious fallacies in regard to slavery, all blind resentments for supposed aggressions, all pride and sectional animosities, all partisan criminations, and forgetting the mutual provocations of the past, bring all offensive doctrines and platforms, all abstract theories and barren creeds as sacrifices upon the altar of a common country.

The State of Indiana, not unmindful of her position, or her duty in this respect, as a conservative State of this Union, solemnly invokes the wisdom and patriotism of the National Congress to the noble work of fostering loyalty to the federal government, strengthening the bonds of union, removing all disturbing causes, staying the tide of revolution, and giving a peaceful salution of the great problem of the age.

The labors and sacrifices of an immortal ancestry, in devising this beautiful and complicated form of federal government, the experiment of civilized man for self-government, the happiness, the prosperity, the civilization and the destiny of the American race, hang, it is believed, upon the speedy and effective action of the American Congress. Events of an age are crowding themselves into hours; events, of incalculable magnitude, fraught with the issues of union or disunion, peace or war, the rise or fall of a great empire.

The State of Indiana cannot but deplore the sectional madness and party infatuation, that would suffer the dismemberment of this confederacy on any theory; that the supposed integrity of a platform is of greater consequence than the existence of the government.

She takes great pride at this critical junction, in declaring to her sister States that the records of her past legislation are not stained by nullifying laws, or personal liberty bills.

While the State of Indiana is firmly attached to the Union of the States, and regards the unbroken peace of the country as an indispensable condition of its continuance; and while she denies the asserted constitutional right of any State to secede from the federal compact; and while she recognizes a plain duty in the federal government to enforce the federal laws and maintain federal supremacy over federal property, yet she recognizes the duty and the policy of moderation and forbearance on the part of the federal government towards seceding States, and that at this juncture, only the civil powers of the government can safely be used to enforce the laws; and in behalf of the Union and the peaceful enforcement of the laws, the State of Indiana exhorts the National Congress to second, by legislation, the efforts of the Executive to enforce the laws by civil process. And while the State of Indiana recognizes, as a last resort, the inalienable right of revolution by a State, of sufficient cause, and while she does not regard the election of Mr. Lincoln to the Presidency alone, as furnishing sufficient cause for revolution, yet in frankness and justice to her sister States, she is bound to say, that the aggregate of grievances which the South has sustained at the hand of the North, (including the election of a sectional President, upon a

simple anti-slavery issue,) does furnish good ground of alarm to the slaveholding States, and justifies them in demanding concessions and new guaranties for the safety of their institutions.

The State of Indiana, therefore, not wholly despairing of the Republic, but greatly at loss for an adequate remedy for the impending catastrophe of a disrupted government, regards with favor the series of propositions lately submitted by the Hon. John J. Crittenden to the Senate of the United States, as furnishing a basis for an adjustment which shall withdraw the agitation of slavery from the National councils, as well as from Northern politics, correct public sentiment in the North and South, secure the return of the disloyal States, save the land of Washington from a sanguinary war, preserve the honor and prestige of the American name, and perpetuate the liberties of a people who have wantonly put them at stake to abide the fortunes of revolution and the arbitrament of the sword.

For these, among other reasons, the State of Indiana prays for prompt action by the Congress of the United States, in the passage of said propositions, looking to an amendment of the Federal Constitution to meet the exigencies of the occasion; and further, the State of Indiana, looking to the possible defeat of said scheme of adjustment, and looking to the fearful progress of the revolution which must inevitably carry with it the pillars of the Constitution, and insure the horrors of civil war, she prays, in that event, that your Honorable bodies will unite in calling a national convention of the States to consider amendments to the Constitution of the United States.

In conclusion, your memorialist repeats, that the solution of the impending calamity is to be found in conciliation and compromise, and not in the power of the sword, which, if once drawn, will not be returned until every State in the Union has become a blood-stained desert. She asks that the people of the nation may have an opportunity of speaking with their own lips, and their own tongues, and from their own hearts, and not through the uncertain medium of political oracles.

Resolved, therefore, By the Senate, the House of Representatives concurring therein, That two copies of the foregoing memorial, certified by the President and Secretary of the Senate, and by the Speaker and Clerk of the House of Representatives be and they are hereby directed to be forwarded to Washington City, the one copy to the Vice President of the United States, and the other to the Speaker of the House of Representatives, to be by them laid before the bodies over which they respectively preside.

Senators Ray and Craven addressed the Senate.

Pending the consideration of the reports from the Committee on Federal Relations, embodying Senate Joint Resolution No. 7, with the amendments thereto,

S. J.—7.

On motion by Mr. Steele, the
Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Senators Steele, Wolfe, Mellett and Slack addressed the Senate upon the subject matter pending at adjournment, and,

On motion by Mr. Newcomb,

The Senate adjourned.

FRIDAY MORNING, 9 O'CLOCK, }
January 18, 1861. }

The Senate met.

The Journal of the preceding day was read.

On motion by Mr. Shields,

The Senate passed informally over the order of business, and took up the following message from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following joint resolution:

Joint Resolution No 9. A joint resolution in regard to postage, pay and mileage of members and officers of the General Assembly.

House Joint Resolution No, 9 being read, Mr Shields moved to put the same upon its passage.

The question being, shall the joint resolution be adopted?

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Murray, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson, and Wolfe—44.

Those who voted in the negative were,

None.

So the joint resolution was adopted.

Ordered, That the Secretary inform the House thereof.

A message from the House by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution:

Resolved, That this House will (if the Senate concur) go into the election, by joint convention, of State Librarian, Canal Trustee, and Agent of State, at 10 o'clock, this day,
Which, on motion, was concurred in.

RESOLUTIONS.

Mr. Turner offered the following resolution:

Resolved, That 5,000 copies of Governor Lane's inaugural and 5,000 copies of Governor Hammond's message be printed for the use of the Senate, 4,000 each in English and 1,000 each in German.

Mr. Line offered the following amendment:

That 5,000 copies of Washington's farewell address be also printed for the use of the Senate,
Which was agreed to.

The question then recurring upon the adoption of the resolution of Mr. Turner as amended,

The same was agreed to.

Leave being granted,

Mr. Newcomb presented a petition from sundry members of the bar of Indianapolis, asking that the county of Marion be organized into a distinct judicial circuit, and that House bill No. —, or some other similar bill be adopted.

Which,

On motion,

Was referred to the Committee on Organization of Courts.

A message from the Governor, by Mr. Holloway, his Private Secretary :

EXECUTIVE DEPARTMENT, }
Indianapolis, Jan. 18, 1861. }

To the Senate of the State of Indiana :

You are hereby notified that I have appointed William R. Holloway, my Private Secretary, and that he is authorized to make communications to your body.

O. P. MORTON, *Governor.*

Mr. Shields offered the following resolution :

Resolved, That the Committee on the Judiciary be directed to inquire into the expediency of so altering the law in relation to the collection of taxes, as to require the county treasurers to visit the several townships of the county in the month of January, for the purpose of receiving taxes, instead of the time as at present required, and that said committee report by bill or otherwise.

Which,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Newcomb offered the following resolution :

Resolved, That the Committee on Banks be instructed to inquire into the expediency of amending the Free Banking Law, in the manner following :

First. That hereafter no other than Indiana State Stock shall be received as securities for the circulation of said Banks.

Second. To provide that such banks may surrender any stocks of

this State filed with the proper officer as a basis of banking, and receive in exchange therefor other bonds with interest coupons attached, the principal and interest of which shall be payable at the State Treasury; and to induce such exchange the rate of interest on such stocks be increased to an amount equal to the average rate of exchange in New York city; not, however, to exceed one-half of one per cent. of excess over the present rate.

Third. That the principal or interest of such bonds, when due, may be paid in the circulating notes of any bank holding the same, to the extent of the circulation of such bank, which may be in the State Treasury.

And that said committee report by bill or otherwise.

Which,

On motion,

Was referred to the Committee on Banks.

Mr. Wolfe offered the following resolution:

Resolved, That the committee on the State Prison be requested to visit the site of the Northern Penitentiary, and examine the practicability thereof; that they also have power to send for persons and papers, and inquire into the facts in regard to the same, and all matters in connection with the location thereof; and that they report the result of their examinations and investigations to the Senate at an early day.

Mr. March offered the following amendment:

"And that said committee be instructed to act with the committee on the State Prison of the House,"

Which was agreed to, and the resolution as amended was adopted.

Mr. Line,

By unanimous consent,

Offered the following resolution:

WHEREAS, A joint resolution passed the General Assembly of the State of Indiana at its last session, [*See Laws of 1859, page 252,*] instructing our Senators and requesting our Representatives to present to the Congress of the United States a claim against the Federal Government for rents, &c., claimed to be due to the State of Indiana; therefore,

Resolved, That the committee on Federal Relations be instructed to inquire whether such claim has been presented, and if presented, whether allowed, and to report to this House at as early a day as practicable.

Which was agreed to.

Mr. Wagner presented a petition from Benjamin F. Gregory, asking that losses by discount on State Stock money paid by him to the Treasurer of State, be refunded,

Which,

On motion,

Was referred to the committee on Claims.

Mr. Cobb offered the following resolution:

Resolved, That the committee on the Judiciary be and the same is hereby instructed to inquire into and report a bill giving a more perfect remedy against railroad companies within this State, to owners of stock killed by locomotives and cars of said companies.

The Senate passed informally over the consideration of said resolution, and took up the following message from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate of the passage by the House of Representatives of the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives at 10 o'clock this day for the purpose of going into the election of State Librarian, Canal Trustee and Agent of State, and that seats be provided for them on the right of the Speaker's chair.

Which was concurred in, and the Senate, preceded by its President, repaired to the Hall of the House of Representatives.

The Hon. John R. Cravens, President of the Senate, took the chair and called the Joint Convention to order.

The President announced that the first business in order would be the election of a State Librarian, to serve for the term of two years; an Agent of State, for the term of two years; and a Canal Trustee, for the term of three years.

The Joint Convention then proceeded to the election of State Librarian.

Mr. Hull, of the Senate, nominated Robert Delos Brown for State Librarian for the term of two years.

Mr. Carnahan, of the Senate, nominated John B. Dillon for State Librarian for the term of two years.

Mr. Heffren, of the House, nominated Lizzie St. Clair Dill for State Librarian for the term of two years.

Mr. Stotsenburg, of the House, nominated John O. Green for State Librarian for the term of two years.

Those who voted for Robert Delos Brown were,

Messrs. Anthony, Bearrs, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, and Wagner, of the Senate—26.

Messrs. Anderson, Bingham, Boydston, Branham, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fraley, Frasier, Goar, Gresham, Grover, Hall, Harvey, Haworth, Henricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Parrett, Ragan, Randall, Sherman, Sloan, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull, Woodruff, Woods, and Mr. Speaker, of the House—61.

Total number of votes for Robert Delos Brown, 87.

Those who voted for John B. Dillon were,

Messrs. Carnahan, Hamilton, Johnston, Jones, Line, Lomax, Odell, Shields, Shoemaker, Shoulders, and Tarkington, of the Senate—11.

Messrs. Atkinson, Davis, Gifford, Holcomb, Owens, Prow, and Trier, of the House—7.

Total number of votes for John B. Dillon, 18.

Those who voted for Lizzie St. Clair Dill were,

Messrs. Conley, Ray, Slack, Williams, and Wilson, of the Senate—5.

Messrs. Brett, Black, Collins of Adams, Combs, Dobbins, Fleming, Ford, Hayes, Heffren, Horton, Howard, Jenkinson, Kitchen, Knowlton, Lods, McClurg, McLean, Moss, Mutz, Packard, Pitts, Prosser, Robbins, Roberts, and Warrum, of the House—25.

Total number of votes for Lizzie St. Clair Dill, 30.

Those who voted for John O. Green were,

Messrs. Cobb, Ferguson, Landers, O'Brien and Wolfe, of the Senate—5.

Messrs. Crain, Edson, Polk, Smith of Bartholomew, and Stotsenburgh, of the House—5.

Total number of votes for John O. Green, 10.

Robert Delos Brown having received a majority of all the votes cast was thereupon declared by the President of the Senate duly elected State Librarian, to serve as such for the term of two years, from and after the expiration of the term of the present incumbent.

The Joint Convention then proceeded to the election of an Agent of State.

Mr. Claypool, of the Senate, nominated Robert N. Hudson for that office.

Mr. Heffren, of the House, nominated Daniel C. Stover for that office.

Those who voted for Robert N. Hudson were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner, of the Senate—26.

Messrs. Anderson, Bingham, Branham, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fraley, Frasier, Goar, Gresham, Grover, Hall, Harvey, Haworth, Henricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Parrett Ragan, Randall, Sherman, Sloan, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull, Woodruff, Woods, and Mr. Speaker, of the House—61.

Total number of votes for Robert N. Hudson, 87.

Those who voted for Daniel C. Stover were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnson, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe, of the Senate—21.

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Coop-
rider, Davis, Dobbins, Edson, Fleming, Ford, Gifford, Hayes, Heffren,

Holcomb, Horton, Howard, Jenkinson, Kitchen, Knowlton, Lods, McClurg, McLean, Moss, Mutz, Owens, Packard, Pitts, Polk, Prosser, Prow, Robbins, Roberts, Smith of Bartholomew, Stotsenburg, Trier and Warrum, of the House—37.

Total number of votes for Daniel C. Stover, 58.

Robert N. Hudson having received a majority of all the votes cast was declared duly elected Agent of State for the term of two years.

The Joint Convention then proceeded to the election of Canal Trustee by ballot.

Mr. Culver of the Senate nominated for that office Joseph S. Hanna.

Mr. Heffren of the House nominated for that office Richard Ralieggh.

The whole number of votes cast were 146; necessary to a choice, 74.

Total number of votes cast for Joseph S. Hanna, 88.

Total number of votes cast for Richard Raleigh, 58.

Joseph S. Hanna having received a majority of all the votes cast, was declared duly elected Trustee of the Wabash and Erie Canal, to serve as such for the term of three years.

The business for which the Joint Convention assembled having been accomplished, the President declared the same adjourned *sine die*.

The Senate then returned to its Chamber.

On motion by Mr. Line,

Leave of absence was granted to Mr. Ferguson for the ensuing week.

The Senate having resumed the consideration of Mr. Cobb's resolution, which was pending at the time of going into Joint Convention,

Mr. Johnston moved to amend by authorizing the Judiciary committee to inquire into the expediency of reporting a bill in accordance with the purport of said resolution,

Which was agreed to.

The resolution of Mr. Cobb, as amended, was agreed to.

On motion by Mr. Bearss,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law to prohibit railroad companies from obstructing highways and public streets in towns and cities by their cars and locomotives, and that they report by bill or otherwise.

On motion by Mr. Wolfe,

Resolved, That the Committee on the Judiciary be directed to inquire whether or not there is any law now in force for holding special terms of the Circuit Courts; and if there be no such law, then, that said committee be directed, if they deem it expedient, to report such a law; and also embodying therein a clause legalizing the action of special terms heretofore held.

On motion by Mr. Murray,

Resolved, That the Committee on Agriculture be instructed to report a bill for the better protection of the wool growing interests of the State, having for its basis the compensation of such persons as have their sheep killed by dogs; and the levying of a sufficient tax upon dogs to meet the loss sustained in this manner, by the wool growers of the State.

Mr. Anthony offered the following resolution,

Resolved, That when the Senate adjourns at the evening session, it adjourn to meet on Monday next at 2 o'clock P. M.

Mr. Murray offered the following amendment.

Strike out the words "at the evening session," and insert "at two o'clock to-morrow."

Which was not agreed to.

The question recurring upon the adoption of Mr. Anthony's resolution,

The ayes and noes being demanded by Senators Murray and Wagner,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Claypool,

Cobb, Conley, Conner, Craven, Culver, DeHart, Ferguson, Grubb, Hamilton, Johnston, Jones, Line, March, Mellett, Miller, Newcomb, O'Brien, Odell, Shields, Slack, Steele, Wagner, Wilson—29.

Those who voted in the negative were,

Messrs. Blair, Carnahan, Dickinson, Hull, Landers, Lomax, Murray, Ray, Robinson, Shoemaker, Shoulders, Stone, Teegarden, Tarkington, Williams, Wolfe—16.

So the resolution was agreed to.

On motion by Mr. Miller,

Resolved, That the Committee on Organization of Courts, be instructed to inquire into the expediency of numbering the Districts established for Common Pleas Courts, so that the same may be designated by numbers instead of the present designations, and that such committee report by bill or otherwise.

On motion by Mr. Dickinson,

Resolved, That a committee of seven be appointed, who shall inquire into and ascertain what legislation is required, if any, in reference to the election of United States Senators, and report a bill for the same, if any law is required.

The President appointed the following Senators a select committee in accordance with said resolution.

Messrs. Dickinson, March, Mellett, Conner, Wolfe, Hamilton and Shoemaker.

Mr. Johnston offered the following resolution :

Resolved, That the Committee on Education be instructed to inquire into the expediency of so amending the school law as to allow widows having children to school to vote at all school meetings in the district where they may reside,

Which was agreed to.

On motion by Mr. Jones,

Resolved, That the Doorkeeper be instructed to procure from the State Printer all public documents printed for the use of the Senate, and distribute on the tables of Senators.

Mr. Johnston offered the following resolution :

Resolved, That the Committee on Education be instructed to inquire into and ascertain whether there is any law authorizing the loaning or distributing the school fund, arising from estates without heirs, and if not, to so amend the school law as to authorize the loaning of the principal and distributing the interest, as other school funds are distributed, and report by bill or otherwise,

Which was agreed to.

Mr. Beeson offered the following resolution :

Resolved, That the Doorkeeper be requested to prevent smoking in the lobbies while the Senate is in session,

Which was agreed to.

Mr. March introduced

Senate Joint Resolution No. 5. A joint resolution proposing an amendment to section second, article second, of the Constitution, so as to guard against fraudulent voting.

Which was read, and,

On motion,

By Mr. Ferguson, referred to a select committee heretofore appointed upon the same subject.

Mr. March offered

Senate Joint Resolution No. 6. A joint resolution proposing an amendment to article eighth of the Constitution, so as to enable cities, townships and towns to levy taxes for the support of common schools,

Which was read and referred to a select committee heretofore appointed on the same subject.

Mr. Wagner offered the following concurrent resolution :

Resolved, By the Senate, the House of Representatives concurring, That the Committee on State Prison in the Senate be, and they are hereby instructed to visit Michigan City, the location of the Northern Prison, in connection with such committee as the House may designate, to examine the site thereof, and to investigate such matters connected with its location and erection as to them may seem proper, and that the Treasurer of State be, and he is hereby requested, to advance such sum of money as may be necessary to bear their ex-

penses during the trip, said sum to be finally provided for in the specific appropriation bill of this session.

Pending the consideration of which,
On motion by Mr. Newcomb,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The Senate having resumed the consideration of Mr. Wagner's resolution,

Mr. Conner offered the following amendment thereto:

Resolved, That the Senate and House of Representatives, the House concurring, appoint a joint committee of five, two on the part of the Senate and three on the part of the House, to be selected on the part of the Senate from the members of the standing committee on the State Prison, and on the part of the House in such manner as the House may determine, to which committee all matters shall be referred which require investigation by personal inspection, and the sending for persons and papers, so far as the contemplated State Prison at Michigan City is concerned.

Mr. March offered the following amendment to the amendment:
Strike out the words, "the sending for persons and papers,"
Which was agreed to.

The question recurring on Mr. Conner's amendment,
It was not agreed to.

Mr. Wagner's resolution was then adopted.

BILLS INTRODUCED.

Mr. Hull introduced

Senate Bill No. 41. A bill supplemental to an act entitled "an act to amend sections one and two of an act to provide compensation to

the owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in this State," approved March 1st, 1853, "and to provide the manner of the service of process," approved March 4th, 1859.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Conley introduced

Senate Bill No. 42. A bill to amend sections eight and ten of an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9th, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Turner introduced

Senate bill No. 43. A bill to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent herewith.

Mr. Turner moved to suspend the rule, and read the bill a first time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Culver, DeHart, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Stone, Tarkington, Teegarden, Turner, Williams, Wilson and Wolfe—40.

No Senator voting in the negative.

So the rules were suspended and the bill read a first time by its title.

On motion by Mr. Turner,

The rules were suspended, and the bill was read a second time by its title.

Mr. Conner offered the following amendment:

Amend by inserting in the proper place " Provided, however, that nothing in this act shall be so construed as to affect in any manner cases now pending.

The bill and pending amendment was then referred to a special committee heretofore appointed.

Mr. Wilson introduced

Senate bill No. 44. A bill to make the copy of the register catalogue, and description of lands, sold at any of the land offices within this State, to the Board of Commissioners of any county, prima facie evidence of the truth of their contents in all civil actions.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Mellett introduced

Senate bill No. 45. A bill to amend Section 3 of an act entitled An act to provide for the election of a reporter and a speedy publication of the sessions of the Supreme Court, and for the compensation of such reporter.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Landers introduced

Senate bill No. 46. A bill to amend the fifty-seventh and fifty-ninth sections of an act entitled, "An act defining misdemeanors and prescribing punishment therefor."

Which was read a first time and passed to a second reading on to-morrow.

Mr. Landers introduced

Senate bill No. 47. A bill to amend the fifth and twenty-first sections of "an act regulating general elections and prescribing the duties of officers in relation thereto, approved June 7, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Craven introduced

Senate bill No. 48. An act to provide compensation to owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Newcomb introduced

Senate bill No. 49. A bill to provide for struck juries in the Circuit and Common Pleas Courts.

Which was read a first time and passed to a second reading on tomorrow.

Mr. O'Brien introduced

Senate bill No. 50. A bill to amend the fifty-ninth section of an act entitled, "an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto."

Which was read a first time and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 51. A bill to amend the ninety-fifty, ninety-seventh, ninety-eighth and one hundred and first sections of an act entitled, "an act to provide for a general system of common schools, the officers thereof and their respective duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof, approved March 5, 1855, and repealing all laws and parts of laws coming in conflict with this act.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Claypool introduced

Senate Bill No. 52. A bill to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity; approved June 18, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Slack moved that the Senate do now adjourn,
Which was not agreed to.

Mr. Miller introduced

Senate Bill No. 53. A bill to provide proper offices for the use of County Surveyors, providing for the recording of surveys, and declaring the character of such records as evidence; defining certain of the powers and duties of County Surveyors, and prescribing fees for services contemplated in this act.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Cobb moved that the Senate do now adjourn,
Which was not agreed to.

Mr. Line introduced

Senate Bill No. 54. A bill regulating docket fees in the Court of Common Pleas, and providing compensation for District Attorneys.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Conley introduced

Senate Bill No. 55. A bill to provide for stationery and postage for members of the General Assembly of the State of Indiana; to provide for employing reporters, and for the publication of the proceedings of the Legislature in certain newspapers, and to provide for the taking of the same.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Turner introduced

Senate Bill No. 56. A bill to amend section one hundred and eleven of an act entitled "An act to authorize the formation of new counties and to change county boundaries," approved March 7, 1857, so as to allow new counties to be formed out of territories of less than four hundred square miles, and prescribing how the number of qualified voters shall be ascertained,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wolfe introduced

Senate Bill No. 57. A bill to amend the first section of "An act to provide for the valuation and appraisement of the real and personal property and the collection of taxes in the State of Indiana, for the election of township assessors, appraisers of real estate,
S. J.—8.

county treasurers and auditors, and of the Treasurer and Auditor^s of State, and to legalize the action of board of county commissioners, in regard to the laying of poll taxes for county purposes, and declaring an emergency for the immediate effect of this act,

Which was read the first time and passed to a second reading on to-morrow.

Mr. Shoemaker introduced

Senate Bill No. 58. An act to amend an act entitled "An act relative to salaries of public officers and provide the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859,

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Steele,
Leave of absence was granted to Mr. White.

On motion by Mr. Line,
Mr. Miller was added to the select committee on amendments to the Constitution.

The President laid before the Senate the report of the officers of the Branch of the Bank of the Bank of the State of Indiana at Terre Haute.

On motion by Mr. Cobb,
The Senate adjourned.

MONDAY January 21, 1861, }
2 O'CLOCK, P. M. }

The Senate met.

The Journal of Friday was read.

Mr. Conner presented a preamble and resolution from sundry citizens of Cass, Miami, Wabash and Fulton counties, in the State^s of

Indiana, asking the enactment of a Militia law, requiring all white male citizens between 18 and 45 years of age to perform military duty; to provide for the collection of the arms and accoutrements in the State which are unfit for use, and for their sale, and for transportation and subsistence for military encampments.

Which

On motion by Mr. Conner,
Was referred to the Committee on Military Affairs.

Mr. Murray offered the following resolution.

Resolved, That the Committee on Agriculture enquire into the expediency of reporting a bill amending the present law on that subject, so as to make the owners of stock running at large responsible for all damage done to persons and property.

Which was not agreed to.

Mr. Teegarden offered the following resolution.

Resolved, That the Committee on the Judiciary be requested to inquire into expediency of so changing the law in relation to the collection of debts, that they may be collected in the township in which they were contracted.

Which was not agreed to.

On motion by Mr. Mellett,

The order of business was suspended, and the Senate proceeded to take up bills on their second reading.

By unanimous consent

Senate bill No. 1 was taken up and read a second time.

Mr. Murray offered the following amendment:

Insert in Section first, sixth line, after the word thereof, "or to any fund under the control of any township, or any officer thereof."
Which was agreed to.

Mr. Wolfe offered the following amendment:

Amend by inserting in the proper place, "That whenever payment shall be made into the State Treasury in the notes of any solvent specie paying banks, as aforesaid, to the amount of one thousand

dollars on any bank, it shall be the duty of the Treasurer of State, forthwith to convert such bank notes into gold or silver coin, by presenting the same to said banks for redemption.

Which was not agreed to.

On motion by Mr. March,

The bill with the pending amendment was referred to the Committee on the Judiciary.

Senate bill No. 15. A bill to amend the four hundred and twentieth section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity." Approved June 18th, 1852.

Was read a second time, and

On motion by Mr. Line,

Was laid upon the table.

Senate bill No. 16. A bill requiring township assessors to ascertain the number of sheep killed and injured by dogs.

Which was read a second time.

Mr. Hull offered the following amendment:

Also the number of dogs, their gender and value.

Which,

On motion,

Was laid upon the table.

On motion by Mr. Johnston,

The bill was referred to the Committee on Agriculture.

Senate bill No. 17. A bill allowing prosecuting attorneys a percentage on all moneys collected upon forfeited recognizances.

Was read a second time, and,

On motion by Mr. Jones,

Was referred to the Committee on the Judiciary.

Senate bill No. 18. A bill to amend section three hundred and fifteen of an act entitled, "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity.

Was read a second time and ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Newcomb,
The vote taking up bills on their second reading was reconsidered.

The question recurring on the motion of Mr. Mellett,
The same was not agreed to.

On motion by Mr. Newcomb,
The Senate proceeded to take up Senate bills on their third reading.

Senate Bills on Third Reading.

Senate bill No. 7. An act supplementary to an act concerning real property, and the alienation thereof, approved May 6, 1852.
Was read the third time.

On motion by Mr. Newcomb,
The bill was amended by inserting the words "circuit judges," therein.

The question being, shall the bill pass?

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Berry, Blair, Campbell, Claypool, Cobb, Conner, Craven, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Stone, Turner, White, Williams, and Wilson—33.

Those who voted in the negative were,

Messrs. Beeson, Cravens, Teegarden—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent,
The Senate took up Senate Bills on their second reading.

SENATE BILLS ON THEIR SECOND READING.

Senate Bill No. 19. An act to amend the third section of an act entitled "An act to provide for the protection of wild game, defining the time in which the same may be taken, or killed, and declaring the penalty for the violation of this act,"

Was read a second time.

Mr. Blair offered the following amendment :

Strike out "November and March" where they occur, and insert "October and February."

On motion by Mr. Johnston,

The bill and pending amendment were referred to the Committee on Agriculture.

Senate Bill No. 20. A bill supplemental to an act entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1859, providing for appeals in the case of persons applying for license to sell intoxicating liquors, and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury in suits in relation thereto final,

Was read a second time, and

On motion by Mr. Lomax,

Referred to the Committee on Temperance.

Senate Bill No. 21. A bill to apportion the Senators and Representatives in the State for the next six years,

Was read a second time.

Mr. Lomax offered the following amendment :

Amend by striking out "Washington" from the district composed of Orange and Washington, and insert "Orange and Crawford."

On motion by Mr. Shields,

The bill and pending amendment were referred to a select committee heretofore appointed.

Senate Bill No. 22. A bill to secure the payment of moneys due for license for the sale of intoxicating liquors into the county treasury, by taxing the same against the property in which or upon which such liquors are vended, and to provide that all money received for

licenses to sell intoxicating liquors, shall be added to the principal of the common school fund, in the counties wherein received,

Was read a second time.

Mr. Line offered the following amendment:

Insert in its proper place, "or the amount which is fixed by law for granting licenses to sell intoxicating liquors."

On motion,

The bill and pending amendment were referred to the Committee on Temperance.

Senate bill No. 23. A bill to amend the seventieth section of an act entitled, "an act for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, and for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.

Was read a second time, and,

On motion by Mr. Murray,
Referred to the Committee on Finance.

Senate bill No. 24. An act to amend the sixth section of an act entitled, "an act for the encouragement of agriculture," approved February 17, 1852.

Was read a second time, and,

On motion by Mr. Line,
Ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 25. A bill to authorize justices of the peace, judges of courts and mayors of cities to administer oaths generally.

Was read a second time, and,

On motion by Mr. Dickinson,
Referred to the Committee on the Judiciary.

Senate bill No. 26. A bill supplemental to an act entitled, "an act to provide for the re-location of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and house to be used as a court house, and where a deed has been executed, to provide also for the transfer of any equitable title for the termination of actions growing out of such re-location, and for the transfer of the former county property," approved December 22, 1858; so as to legalize and confirm the action of boards of commissioners in cases where public property has been conveyed, and to provide for the conveyance

of the Asylum for the Poor, in certain cases; and to provide also that the trustees created under the act to which this is supplemental, shall constitute bodies politic and corporate.

Which was read a second time, and,

On motion by Mr. Shoemaker,

Referred to the Committee on County and Township Business.

Senate bill No. 27. A bill to enable persons objecting to the location, vacation or change of any public highway, to remonstrate against the same.

Was read a second time.

Mr. White offered the following amendment :

Strike out "such remonstrance shall be presented before the final action of such board," and insert, "such remonstrators shall present their remonstrance at the term of the court at which such petition is presented."

On motion by Mr. Lomax,

The bill, with the pending amendment, was referred to the committee on Roads.

Senate Bill No. 29. An act to amend section fourteen of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14th, 1852.

Which was read a second time and,

On motion,

Referred to the committee on the Judiciary.

Senate Bill No. 30. A bill to amend sections four, five, eighteen, twenty, twenty-one and twenty-two of an act entitled "an act regulating general elections and prescribing the duties of officers in relation thereto," approved June 7th, 1852,

Was read a second time.

Mr. Shields offered the following amendment :

Strike out that part which requires the production of certificates on the part of foreigners.

On motion by Mr. Lomax,

The bill and pending amendment were referred to the committee on the Judiciary.

On motion by Mr. Mellett,

The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
January 22, 1861.

The Senate met.

The Journal of the preceding day was read.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. O'Brien presented a petition from Michael Roup, asking the enactment of a law authorizing the Board of County Commissioners to discharge persons from county jails in certain cases,

Which,

On motion by Mr. O'Brien,

Was referred to the committee on the Judiciary.

Mr. Turner presented a petition from sundry citizens of Lake county, Indiana, asking the repeal of an act entitled "an act to authorize the formation of new counties and to change county boundaries," approved March 7th, 1857, and also the amendments thereto, approved March 5th, 1859,

Which,

On motion by Mr. Turner,

Was referred to a select committee on the same subject, heretofore appointed.

Mr. Wagner presented a petition from Charles High, Joshua Anderson, and others, asking an allowance out of the State Treasury for certain sums of money expended in bringing certain criminals to justice,

Which,

On motion by Mr. Wagner,

Was referred to the committee on Finance.

Mr. Turner presented a petition from citizens of Lake county, Indiana, asking for the passage of a law punishing the stealing of timber,

Which,

On motion by Mr. Turner,

Was referred to the committee on the Judiciary.

Mr. Beeson, from the Committee on Agriculture, made the following report:

MR. PRESIDENT—

The Committee on Agriculture, to whom was referred a resolution inquiring into the expediency of reporting a bill giving to county Boards the power to assist county agricultural societies in the purchase of fair grounds, have had the same under consideration, and direct me to report that they deem it inexpedient to legislate upon the subject.

O. BEESON,
Chairman.

Which was concurred in.

On motion by Mr. Wagner,

Resolved, That the Auditor and Treasurer of State be requested to inform the Senate of the amount of money expended during the year 1860, for ditching swamp lands in Benton county, and that they itemize the amount of expenditure as follows :

First. Amount paid for surveying and locating ditches.

Second. Amount paid swamp land Commissioner for services.

Third. Amount paid for ditching, and number of yards ditched, and the price per yard, if known.

On motion by Mr. Tarkington,

Resolved, That the President of the Bank of the State be requested to report to the Senate, at his earliest convenience, whether there is any legislation necessary to cause that said bank to furnish a greater amount of circulation for the relief of the people.

Also, whether any of the branches (and their names, if any) are opposed to accepting an act authorizing additional branches without an increase of capital, and the causes assigned for the same.

Mr. Line offered the following resolution :

Resolved, That the Committee on Roads and Highways, be, and they are hereby instructed to so alter (by bill) the law relating to the change in highways, so that when any person shall petition for a change in any highway, that shall only pass upon his own land, then and in that case he shall pay all expenses incurred by such change.

Mr. Williams submitted the following amendment :

Provided the same should not be deemed of public utility.
Which was not agreed to.

Mr. Cobb offered the following amendment :

Amend so that "if the viewers of such change shall report that

such change is not of public utility, then and in that case, the petitioner shall open such change at his own expense.

Which was agreed to.

Mr. Shields moved to amend the amendment by striking out the word "maintain,"

Which was agreed to.

Mr. Lomax offered the following amendment:

Amend by inserting in the proper place, "that if the change will not affect the public interest, the road may be established,"

Which was not agreed to.

Mr. Blair moved to refer the resolution to the Committee on Roads and Highways.

Mr. Carnahan moved to lay the motion on the table.

The ayes and noes being demanded by Senators Craven and Carnahan,

Those who voted in the affirmative were,

Messrs. Anthony, Blair, Carnahan, Claypool, Conner, Craven, Grubb, Hull, Johnston, Jones, Lomax, Mellett, Ray, Robinson, Shoulders, Turner, White, and Williams—18.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Berry, Campbell, Cobb, Conley, Culver, Dickinson, Hamilton, Landers, Line, Miller, Murray, Newcomb, O'Brien, Odell, Shields, Shoemaker, Slack, Steele, Stone, Tarkington, Teegarden, Wagner, and Wilson—26.

So the motion to lay upon the table was not agreed to.

The question recurring upon the motion to refer the resolution of Mr. Line, as amended, to the committee upon Roads and Highways, The same was agreed to.

On motion by Mr. Conner,

The Senate passed informally over the order of business, and took up the report from the Committee on Federal Relations.

The Senate was then addressed by Senators Newcomb and Murray when,

On motion by Mr. Slack,

The Senate postponed the further consideration of the subject then pending, until to-morrow morning at 10 o'clock.

On motion by Mr. Slack,

The following message from the House was taken up :

MR. PRESIDENT—

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution :

Resolved, That the Senate be invited to participate with the House in the raising of the American flag at two and a half o'clock to-day,

In which the concurrence of the Senate is requested.
Which was duly concurred in by the Senate.

On motion by Mr. Slack,

Resolved, Then when the Senate adjourns, it will adjourn to meet to-morrow morning at 9 o'clock.

And,

On motion by Mr. Line,

The Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
January 23, 1861. }

The Senate met.

The Journal of the preceding day was read.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. White presented a petition from sundry citizens of Montgom-

ery county, asking the repeal of an act entitled "an act to authorize the formation of new counties and to change county boundaries," approved March 7th, 1857, and also the amendments thereto, approved March 5th, 1859,

Which,

On motion by Mr. White,

Was referred to the select committee on County and Township Business.

Mr. Line, from a select committee, made the following report:

MR. PRESIDENT:

The select committee of three to whom was referred a petition signed by a large number of the citizens of Indiana, praying for the passage of a law protecting fish in the inland waters of the State, similar to that of Ohio, have had the same under consideration, and have directed me to make the following report:

In view of the fact of the large number of names and their respectability (many of whom are known to your committee), the petitioners must have been impressed with the importance of the passage of a law which should in some way and to some extent accomplish the objects prayed for; but a member of the committee (Mr. Claypool,) having presented a bill which has for its object the protection prayed for, your committee deem it unnecessary to present any bill on the subject, but recommend the passage of the bill presented by a member of the committee. All of which is most respectfully submitted.

Which was concurred in by the Senate.

On motion by Mr. Beeson,

Resolved, That the Auditor of State be requested to report to the Senate, at an early day, by what law the whole amount of the Common School Fund was ordered to be paid into the State Treasury, and by what law (according to the report of the Superintendent of Public Instruction, in his late report, on page six, which shows that) \$255,000 have been withheld from distribution to the Common Schools, as the Constitution and laws regulating our system of public instruction require, and also by what law the said \$255,000 have been absorbed in defraying the ordinary expenses of the State Government.

Mr. Odell offered the following resolution:

WHEREAS, The Common School Fund does not, in many counties of this State, afford sufficient means to support a free school for the term of three months in each year; therefore,

Resolved, That the committee on Education be requested to inquire into the expediency of so increasing the Common School Fund, by taxation or otherwise, as to afford a free school, at least three months in each year, and that they report by bill or otherwise.

Which was adopted.

Mr. Newcomb offered the following concurrent resolution :

Resolved, That the General Assembly, (the House of Representatives concurring), proceed at two o'clock P. M. this day, to elect, in such manner as the two houses may determine, a State Printer, who shall serve for two years next from and after his election and qualification. The General Assembly reserving, however, the right to abolish the said office, change the rate of compensation, or otherwise legislate concerning the public printing at pleasure ; and the person elected shall, before entering upon the discharge of the duties of his office, file in the office of Secretary of State, his consent in writing to the reservation of power herein reserved to the General Assembly, and the securities on his official bond shall file a like consent in said office.

Mr. Ray moved to indefinitely postpone the consideration of the same.

Which was not agreed to.

The question being shall the resolution be adopted,

The ayes and noes being demanded by Senators Slack and Ray.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Mellett, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Tarkington, Williams, Wilson and Wolfe—17.

So the resolution was adopted.

On motion by Mr. Landers,

Resolved, By the General Assembly of the State of Indiana, that

our Senators in Congress be instructed, and our Representatives requested to use their best efforts to secure the passage of some good judicious homestead bill that will secure to heads of families one hundred and sixty acres of any lands now unoccupied belonging to the United States, and that the Governor be requested to forward a certified copy of this resolution to each of our Senators and Representatives in Congress.

On motion by Mr. Johnston,

Resolved, That the Committee on Finance be instructed to inquire into the expediency of so amending the revenue law as to authorize the county boards of the several counties in this State to provide for the election of one or more additional assessors in large towns and cities.

On motion by Mr. Stone,

Resolved, That the Committee on the Judiciary inquire into the expediency of so altering the law of March 5, 1859, (which provides "that in case of the removal from office, death, or resignation or inability, both of the Governor and Lieutenant Governor of the State, the Secretary of State shall then act as Governor,") as to devolve the duties of Governor upon the President of the Senate.

On motion by Mr. Murray,

Resolved, That the Committee on Roads and Highways be instructed to inquire into the expediency of so amending the law on that subject as to make it the duty of viewers appointed to locate, change or vacate any public highway, to discharge all the duties in locating, changing or vacating any public highway, required by sections nineteen, twenty-second and twenty-three of revised statutes, and to repeal all acts in conflict therewith.

By consent, Mr. Hull presented the following petition :

To the Honorable, the General Assembly of the State of Indiana, now in Session :

The undersigned, citizens of Ripley county, respectfully ask your Honorable Body to repeal an act entitled, "an act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857; and also the amendments thereto, approved March 5, 1859.

Which,

On motion by Mr. White,

Was referred to a select committee, heretofore appointed on that subject.

On motion by Mr. Johnston,

Resolved, That the Committee on Finance be, and is hereby instructed to inquire into the expediency of reporting a bill at as early a day as possible, so amending the revenue laws as to require assessors to report to the county boards on the first Monday in March, instead of the first Monday in June.

On motion by Mr. Stone,

Resolved, That the Committee on Benevolent Institutions be instructed to inquire into the expediency of providing at an early an Asylum for Inebriates, to be located at some central place in this State.

A message from the House, by Mr. Gordon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following resolution:

Resolved, By the Senate, the House of Representatives concurring, that the Committee on State Prisons in the Senate be and is hereby instructed to visit Michigan City, the location of the Northern Prison, in connection with such committee as the House may designate, to examine the site thereof, and to investigate such matters connected with its location and erection as to them may seem proper, and that the Treasurer of State be and is hereby requested to advance such sum of money as may be necessary to bear their expenses during the trip, such sums to be finally provided for in the specific appropriation bill of this session.

BILLS INTRODUCED.

Mr. Ray introduced

Senate bill No. 59. A bill to amend the first section of an act entitled An act for the incorporation of manufacturing or mining companies and companies for mechanical, chemical and building purposes, approved May 20th, 1852, so as to provide for the incorporation of companies to furnish motive power to carry on such business, or to supply any city or village with water.

Which was read a first time and passed to a second reading on tomorrow.

On motion by Mr. Williams,

The Senate suspended the order of business, and took up the following House message, containing House bill No. 59.

MR. PRESIDENT :

I am directed to report to the Senate the passage, by the House of Representatives, the following engrossed bill thereof :

Bill No. 59. An act to amend section first of an act entitled An act to fix the time of holding the common pleas court in the several counties of this State ; the duration of the terms thereof, and making all process from the present common pleas court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent herewith, approved March 5, 1859, in which the concurrence of the Senate is requested.

Which was concurred in,
And,

House bill No. 59. An act to amend section first of an act entitled "an act to fix the time of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when the act shall take effect, and repealing all laws inconsistent herewith," approved March 5, 1859.

Was read a first time.

Mr. Williams moved to suspend the rules and read the bill a second time now, by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, Mellett, Murray, O'Brien, Odell, Ray, Robbins, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Teegarden, Turner, White, Williams, Wilson and Wolfe—40.

Those who voted in the negative were,

None.

So the rules were suspended and the bill read a second time by its title.

S. J.—9.

On motion by Mr. Williams,
Ordered, That the bill be considered engrossed, and
 It was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robbins, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—42.

Those who voted in the negative were,

None.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senator Wagner being in the chair,

Mr. Slack moved to postpone the consideration of the Order of the Day, being the majority report of the Committee on Federal Relations, until Tuesday next, at 2 o'clock P. M.

The ayes and noes being demanded by Senators Line and Ray,

Those voting in the affirmativs were,

Messrs. Carnahan, Conley, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Tarkington, Williams and Wilson—16.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—24.

So the consideration of the Report was not postponed.

Mr. Williams moved to re-commit the Report with the following instructions :

Recommit to the Committee on Federal Relations with instructions to report a set of resolutions in accordance with the resolutions introduced into the Senate of the United States by the Hon. John J. Crittenden, of Kentucky.

Mr. Teegarden moved to lay the motion on the table.

The ayes and noes being demanded by Senators Johnston and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Hamilton, Johnston, Jones, Landers, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Williams, and Wilson—14.

So the motion to lay upon the table prevailed.

Mr. Ray offered the following amendment :

Resolved, further, That the great interests at stake justify the General Assembly of Indiana in calling for an expression of the popular voice of Indiana on some scheme of adjustment of pending differences between the different sections of the confederacy, it is therefore declared by the Senate, the House of Representatives concurring, to be expedient for the General Assembly to provide by law at once to submit at an early day, the acceptance or rejection of the propositions lately submitted to the United States Senate by the Hon. John J. Crittenden, to the popular vote of the freemen of Indiana.

Which was decided out of order by the chair.

Mr. Ray took an appeal from the decision of the chair.

The question being, shall the decision of the chair be sustained?

The ayes and noes being demanded by Senators Carnahan and Ray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Johnston, Jones, Landers, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Williams, and Wilson—13.

So the decision of the chair was sustained.

Mr. Williams offered the following amendment:

Strike out that portion of the report that says the South have no cause for complaint.

Mr. Murray moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Williams and Johnston,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Hamilton, Johnston, Jones, Landers, Lomax, O'Brien, Odell, Ray, Shoulders, Williams and Wilson—13.

So the amendment was laid upon the table.

Mr. Teegarden moved the previous question.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Clay-

pool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Hamilton, Johnston, Jones, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Williams and Wilson—13.

So the previous question was ordered.

The question recurring upon the passage of Senate Joint Resolution No. 7, embodied in the report of the committee on Federal Relations,

The ayes and noes being demanded by Senators Cravens and Ray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Robbins, Robinson, Shoemaker, Steele, Stone, Teegarden, Turner, Wagner and White—28.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Johnston, Lomax, O'Brien, Odell, Ray, Shields, Shoulders, Williams and Wilson—11.

So Senate Joint Resolution No. 7 was adopted.

On motion by Mr. Ray,

The further consideration of the minority report from the committee on Federal Relations was postponed till Tuesday next at two o'clock P. M.

On motion by Mr. Conner,

The vote upon the adoption of Senate Joint Resolution No. 8 was reconsidered.

Mr. Conner offered the following amendment:

Amend so as to give pre-emption claims, not only to heads of fam-

ilies, but to all free white persons over the age of twenty-one years, and to widows who are actual settlers.

Which was agreed to.

The question recurring upon the adoption of Senate joint resolution No. 8,

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bears, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Landers, Lomax, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robbins, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, Wagner, White and Wilson—38.

Those who voted in the negative were,

None.

So Senate Joint Resolution No. 8 was adopted.

BILLS INTRODUCED.

Mr. Robbins introduced

Senate bill No. 60. A bill defining certain felonies, and prescribing punishment therefor.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 61. A bill to require the county treasurers to settle with the county auditors for the delinquent tax collected, and to regulate the accounting for the same, and to repeal an act to amend the one hundred and third section of an act entitled "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, and for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Shields introduced

Senate bill No. 62. A bill to provide for the collection of claims against railroad companies, for materials furnished in the construction of railroads within this State, for fuel furnished for the running of said roads, and stock killed by the cars, locomotives and other carriages of railroads, within this State,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Murray introduced

Senate bill No. 63. A bill to change the time when the township trustees shall apportion the public moneys for school purposes amongs the schools thereof, and to repeal all acts and statutes in conflict herewith.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Newcomb,

The order of business was suspended, and the Senate took up the following House message:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following resolution:

Resolved, That the General Assembly, the House of Representatives concurring, proceed at 2 o'clock, P. M., this day, to elect, in such manner as the two Houses may determine, a State Printer, who shall serve two years next, from and after his election and qualification; the General Assembly reserving, however, the right to abolish the said office, change the rate of compensation, or otherwise legislate concerning the public printing at pleasure; and the person elected shall, before entering upon the discharge of the duties of his office, file in the office of the Secretary of State his consent in writing to the reservation of power herein reserved to the General Assembly, and the sureties on his official bond shall file a like consent in said office.

I am also directed by the House of Representatives to inform the Senate of the passage of the following resolution thereof:

Resolved, That the Senators be invited to attend in the hall of the House, at 2 o'clock, P. M., this day, to elect a State Printer, and that seats are provided for them on the right of the Speaker's chair.

Which was concurred in by the Senate.

Mr. Conner, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT: .

The Judiciary Committee, to whom was referred the Senate Bill No. 14, a bill to amend the 48th Section of the act in relation to decedents' estates, have instructed me to report the same back and recommend its passage, with the following amendments:

At the commencement of the amended section insert the following:

SECTION 1. Such executor or administrator, immediately after filing any such inventory and appraisement, shall proceed to sell at public auction the personal property of the deceased.

At the close of the first amended section, add the following:

When all the liabilities of the estate are paid and satisfied, it may, on petition of all the heirs and other persons entitled to distribution, be finally settled without the sale of such property, by the administrator or executor.

Insert in the first section, after the first word necessary:

If the sale of such property required for the payment of debts, it shall not be postponed longer than six months after filing the inventory.

The report was duly concurred in, and

Senate bill No. 14, A bill to amend section forty-eight of an act entitled "An act providing for the settlement of decedents' estates," prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement,

Was ordered to be engrossed and read a third time now.

The Senate passed informally over the consideration of Senate Bill No. 14, and by unanimous consent,

Mr. Craven introduced

Senate bill No. 64. A bill to provide for the rights of married women, in cases of the sale of lands upon execution, or by virtue of any judicial proceeding, and in all other cases when the wife does not consent to the sale.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Shoemaker introduced

Senate bill No. 65. A bill to dispense with the selecting and summoning of a petit jury for Courts of Common Pleas where the business does not require it.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Mellett,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

By consent,

Mr. Wagner introduced

Senate Bill No. 66. A bill to provide for a general system of Common Schools, the officers thereof, and their respective powers, duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof.

Mr. Wagner moved to suspend the rules and read the bill a first time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Johnston, Jones, Mellett, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, Wagner, White, Williams and Wilson—35.

Mr. Lomax voted in the negative.

So the rules were suspended, and the bill was read a first time by its title and passed to a second reading on to-morrow.

By unanimous consent, Mr. Bearss offered the following resolution :

Resolved, That the committee on the part of the Senate and House of Representatives be authorized to employ a professional architect, to assist them in the investigation of the affairs of the Northern Prison, and their inquiries into the cost of the construction of the same.

Mr. Carnahan moved to amend the resolution by sending the architect in lieu of the committee.

Pending the consideration of which,

On motion by Mr. Newcomb,

The Senate passed informally over the Order of Business, and took up the following message from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate of the passage of the following resolution :

Resolved, That the Senate be invited to appear in the Hall of the House instanter, for the purpose of going into the election of State Printer.

Which,

On motion by Mr. Blair,

Was concurred in, and the Senate, preceded by its President, repaired to the Hall of the House..

The President of the Senate called the Joint Convention to order, and stated that the purpose for which they had convened was the election of a State Printer, for the term of two years, in accordance with the provisions of the statute of 1843.

Senator Newcomb nominated Berry R. Sulgrove, for the office of State Printer.

Senator Williams nominated Joseph J. Bingham, for State Printer.

Those who voted for Berry R. Sulgrove were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven of Madison, Cravens of Jefferson, Culver, De Hart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White, of the Senate—26.

Messrs. Anderson, Boydston, Brucker, Bryan, Bundy, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Goar, Grover, Hall, Harvey, Henricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Parrett, Ragan, Randall, Swain, Smith of Miami, Thomas, Thompson, Turner, Underwood, Wells, Williams, Wilson, Woodhull, Woodruff, Woods and Mr. Speaker of the House of Representatives—54.

Total vote for Berry R. Sulgrove, 80.

Those who voted for Joseph J. Bingham were,

Messrs. Carnahan, Conley, Hamilton, Johnston, Jones, Landers, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Williams, and Wilson of the Senate—15.

Messrs. Atkinson, Black, Collins of Adams, Combs, Coopridier, Davis, Dobbins, Edson, Fleming, Gifford, Hayes, Holcomb, Howard, Kitchen, Knowlton, Lods, McClurg, McLean, Moss, Mutz, Owens, Packard, Pitts, Polk, Prosser, Prow, Roberts, Smith of Bartholomew, Stephenson, Stotsenburg, Trier and Warrum, of the House of Representatives—32.

Total vote for Joseph J. Bingham, 47.

Total number of votes 127.

Necessary to a choice, 64.

Berry R. Sulgrove having received a majority of all the votes cast, was declared by the President of the Senate duly elected State Printer, for the term of two years, to serve as such, from the date of his election.

The President of the Senate announced that the business for which the joint convention had assembled was accomplished, and the Senate returned to its Chamber.

The Senate having resumed the consideration of the resolution offered by Mr. Bearss, with the amendment offered by Mr. Carnahan,

Mr. Murray moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Carnahan and Shields,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Con-

ner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Mellett, Miller, Murray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White and Wilson—27.

Those who voted in the negative were,

Messrs. Carnahan, Claypool, Conley, Johnston, Landers, Lomax, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders and Williams—14.

So the amendment was laid upon the table.

The question recurring upon the adoption of the resolution,

The same was agreed to.

On motion by Mr. Turner,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so changing the law authorizing county Recorders and Surveyors to issue fee bills as to waive valuation and appraisement laws.

On motion by Mr. Newcomb,

The order of business was suspended, and the Senate took up Senate engrossed bill No. 14,
Which was read a third time.

Mr. Carnahan moved to add to the last section the following:

“And publication in the Indiana State Journal and Indiana State Sentinel.”

Which was unanimously agreed to.

The question being, shall the bill pass,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steel, Stone Teegarden, Turner, Wagner, White, Williams and Wilson—41.

Those who voted in the negative were,

None.

So the bill passed.

Ordered that the Secretary inform the House thereof.

Mr. Blair introduced

Senate bill No. 67. A bill to provide compensation to persons who may bring to justice fugitives from the same, and prescribing the duties of county commissioners in relation thereto.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Newcomb introduced

Senate bill No. 68. A bill to establish an Insurance Department, providing for a Commissioner thereof, prescribing the mode of his election, and defining his powers and duties.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Newcomb introduced

Senate bill No. 69. A bill to regulate the business transacted in this State by any fire, marine, life, health or live stock insurance companies not incorporated under the laws of this State.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Wagner,

The Committee on Finance was authorized to employ a clerk.

On motion by Mr. Wagner,

Mr. Mellett was added to the Committee on Finance.

On motion by Mr. Carnahan,

Mr. Johnston was added to the Committee on Finance.

On motion by Mr. Newcomb,

Mr. Conley was added to the Committee on Finance.

SENATE BILLS ON THIRD READING.

Senate bill No. 6. A bill to repeal an act entitled "an act to authorize the formation of new counties, and to change the boundaries," approved March 7, 1857,

Was read a third time, and
On motion by Mr. Conley,
Was laid upon the table.

Senate bill No. 7. A bill supplementary to an act concerning real property, and the alienation thereof, approved May 6, 1852,
Was read a third time.

The question being, shall the bill pass,

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Grubb, Hamilton, Hull, Johnston, Landers, Lomax, Newcomb, O'Brien, Odell, Ray, Shoulders, Steele, Stone, Turner, Wagner, White, Williams and Wilson—29.

Those who voted in the negative were,

Messrs. Jones, Shields and Shoemaker—3.

No quorum voting.

On motion by Mr. Williams,
A call of the Senate was ordered.

Those who answered to their names were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, Miller, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams and Wilson—34.

Pending the call of the Senate,
On motion by Mr. Hamilton,
Mr. Studabaker was excused.

On motion by Mr. Newcomb,
Mr. Robbins was excused.

A quorum being present,
On motion by Mr. Conner,
A further call of the Senate was dispensed with.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Con-
ley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilion,
Hull, Johnston, Landers, Lomax, Miller, Newcomb, O'Brien, Odell,
Ray, Robinson, Shields, Shoulders, Steele, Stone, Turner, Wagner,
White, Williams and Wilson—33.

Those who voted in the negative were,

Messrs. Jones and Shoemaker—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Wagner,
The Order of Business was suspended. and
The Senate took up Bills on their Second Reading.

BILLS ON SECOND READING.

Senate bill No. 31. A bill to perfect the title of purchasers of
railroads sold by foreclosure of mortgage, or other proceedings in law
or equity, or pursuant to the provisions of mortgage or deed of trust,
or by the joint exercise of those authorities, and to enable them to
organize corporations, and to exercise corporate and other powers,

Was read a second time, and,

On motion by Mr. Steele,
Was referred to the Committee on the Judiciary.

Senate bill No. 32. A bill to amend an act entitled, "An act to
provide for the valuation and assessment of real and personal prop-
erty, and the collection of taxes, the election of township assessors,
and prescribing the duties of assessors, appraisers of real property,
county treasurers and auditors, and the Treasurer and Auditor of
State," approved June 21st, 1852,

Was read a second time, and,

On motion by Mr. Wagner,
Was referred to the Committee on Finance.

Senate Bill No. 33. A bill to punish employees in railroad companies for embezzling, or stealing railroad tickets, coupons, or moneys belonging to such company, and prescribing the mode of punishment therefore,

Was read a second time, and,

On motion by Mr. Conner,

Referred to the Committee on Corporations.

Senate bill No. 34. A bill to amend sections two and five of an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof, approved March 5, 1859,

Was read a second time.

Mr. Carnahan moved to refer the bill to the Committee on Education,

Which was not agreed to.

On motion by Mr. Conner,

The bill was referred to the Committee on Temperance.

Senate Bill No. 35. A bill to apportion Senators and Representatives for the next six years,

Was read a second time, and,

On motion by Mr. Johnston,

Was referred to a Select Committee on Apportionment heretofore appointed.

Senate bill No. 36. A bill to amend the forty-ninth section of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852,

Was read a second time, and,

On motion by Mr. Williams,

Referred to the Committee on Roads.

Senate bill No. 37. An act to amend the first section of an "Act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859,

Was read a second time, and,

On motion by Mr. Turner,

Referred to the Committee on Finance.

Senate bill No. 38. A bill authorizing county auditors to pur-

chase justice's dockets, and to pay for the same out of the county treasury, and to provide for the safe keeping of the same,

Was read a second time, and,

On motion by Mr. Beeson,

Referred to the Committee on Finance.

Senate Bill No. 40. A bill for the protection of fish and defining the penalties for the violation of this act and the recovery of said penalties.

Was read a second time, and,

On motion by Mr. Claypool,

Ordered, To be engrossed and read a third time on to-morrow.

On motion by Mr. Newcomb,

The Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
January 24, 1861. }

The Senate met.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Wilson presented the proceedings and resolutions of a meeting held at Terre Haute, Indiana, presenting their views of that meeting upon the questions now agitating the country.

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Hull presented certain propositions to be embodied in a Railroad bill, in reference to the killing of stock by locomotives and cars.

Which,

On motion by Mr. Hull,

Were referred to the Committee on Corporations.

REPORTS FROM STANDING COMMITTEES.

Mr. Beeson, from the Committee on Agriculture, made the following report:

S. J.—10.

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate bill No. 19, relative to the game law, have had the same under consideration and direct me to report said bill back with the following amendment:

"Strike out March, where it occurs, and insert February, and recommend its passage."

Which was concurred in, and

Senate bill No. 19. An act to amend the third section of an act entitled, "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act."

Was ordered to be engrossed, and read a third time on to-morrow.

Mr. Johnston, from the Committee on Agriculture, submitted the following report:

The Committee on Agriculture, to whom was referred Senate bill No. 16, on the subject of sheep killed by dogs, have had the same under consideration, and have directed me to report the same back, with two amendments, and when so amended recommend its passage.

Amend first section by striking out all after the word "year," in the fifth line, to the word "done," in the twelfth line, and insert the following: "To require each person to give in the number of sheep killed or injured by dogs, and the value thereof."

Amend second section by striking out all after the word "county," in the second line, to the word "statement," in the fourth line, and insert the following: "In furnishing blanks to the township assessors, to provide the necessary columns for taking the number and value of sheep killed by dogs.

Which was concurred in. And,

Senate bill No. 16. A bill requiring township assessors to ascertain the number of sheep killed and injured by dogs.

Was ordered to be engrossed, and read a third time on to-morrow.

Mr. Miller, from the committee on Education, made the following report:

MR. PRESIDENT:

I am directed by the committee on Education, to whom was referred

Senate Bill No. 13, to report said bill back to the Senate, with a recommendation that the same be referred to the committee on County and Township Business. I am instructed to report further, that so far as this bill affects the Common School system, it is the opinion of the committee on Education that the same proposes a salutary amendment to the present law,

Which was concurred in, and

Senate Bill No. 13. A bill to amend the fifth section of an act entitled "an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with the same," approved February 18th, 1859,

Being under consideration,

Mr. Carnahan moved to recommit the bill with the following instructions:

Resolved, That the committee on Education be instructed to provide, in any bill they may report, for an increase of the compensation of Township Trustees.

On motion by Mr. Beeson,

The motion to recommit, and the instructions, were laid upon the table.

Senate Bill No. 13 was then,

On motion,

Referred to the committee on County and Township Business.

RESOLUTIONS.

Mr. Jones offered the following resolution:

Resolved, That the committee on Finance be instructed to inquire into the expediency of reporting a bill at an early day providing for replenishing the Treasury, by requiring the County Treasurers of each county to pay into the State Treasury the amount of State revenue they may have collected and have on hand on the 15th day of February, 1861.

Which was agreed to.

On motion by Mr. O'Brien,

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of the enactment of a law conferring on Boards of County Commissioners the power to discharge persons

who may be imprisoned in county jails for failure to pay or replevy fines and costs assessed against them, from such imprisonment, on account of the insolvency of such persons.

On motion by Mr. March,

Resolved, That the Trustees of the Indiana University be requested to report to the Senate the present condition of the University fund, what losses, if any, have accrued, and make such suggestions as they deem proper as to what further legislation may be necessary for the protection and preservation of the fund.

Mr. Cravens offered the following resolution :

Resolved, That the Judiciary Committee be instructed to inquire into and report by bill or otherwise, upon the expediency of so amending the "Act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto," as to provide for adding to the causes therein specified for which parties shall be entitled to divorce, idiocy and hopeless insanity, and of requiring the party obtaining divorce on such grounds to give bonds for the support and maintenance, when the same may be required, of the parties so divorced,

Which was agreed to.

BILLS INTRODUCED.

Mr. Newcomb introduced

Senate bill No. 70. A bill for the relief of John M. White,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wagner introduced

Senate bill No. 71. A bill to provide for the incorporation of street railroad companies,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Ray introduced

Senate bill No. 72. A bill supplemental to an act entitled, "An act to organize the militia, providing for the apportionment, and prescribing the duties of certain officers thereof," approved June 14, 1852, and repealing sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of said act, and providing for a more perfect

organization of the militia and matters properly connected therewith.

Mr. Ray moved to suspend the rules and read the bill a first time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams, and Wilson—35.

Those who voted in the negative were,

None.

So the rules were suspended, and the bill read a first time by its title.

On motion by Mr. Ray,

The rules were suspended, the bill read a second time by its title, and laid upon the table and three hundred copies thereof ordered to be printed for the use of the Senate.

Mr. Lomax introduced

Senate bill No. 73. A bill to amend an act entitled "an act to authorize county agricultural societies to purchase and hold real estate," approved February 7, 1855,

Which was read a first time and passed to a second reading to-morrow.

Mr. Craven introduced

Senate bill No. 74. A bill to fix the time of holding Circuit Courts, in the Seventh Judicial Circuit, composed of the counties of Hancock, Hamilton, Madison, Delaware, Tipton, Howard and Blackford, and repealing all laws in conflict therewith,

Which was read a first time.

Mr. Cravens moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams, and Wilson—34.

No Senator voting in the negative.

So the rules were suspended, the bill read a second time by its title and referred to a select committee, consisting of Senators Craven, March, Ray, Grubb and DeHart.

Mr. Wilson introduced

Senate bill No. 75. A bill to amend the fifth section of an "act to provide for the sale of county seminaries, and the property belonging thereto, and to transfer the proceeds thereof to the common school fund, after deducting advances made by individuals, and to repay such advances," approved June 12, 1852,

Which was read a first time and passed to a second reading on to-morrow.

Mr. O'Brien introduced

Senate bill No. 76. A bill to legalize the listing and assessment of property in the cities of this State, and the making out of the tax duplicates of such cities, and to authorize the treasurers and collectors of such cities to collect taxes in certain cases,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Jones introduced

Senate bill No. 77. A bill to limit jurisdiction in civil actions, to the county or township where one of the parties immediately liable to judgment and execution resides.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. March introduced

Senate bill No. 78. A bill to provide for oral argument and speedy decisions of causes, in the Supreme Court, and to repeal all laws inconsistent with this act.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Conner,

The Senate passed over the order of business, and took up

SENATE BILLS ON THEIR SECOND READING.

Senate bill No. 28. A bill for the organization of the Indiana militia, prescribing duties of certain officers, providing for a military fund and its disbursement, for punishing failures, refusals and negligence in connection with the service; and for the repeal of all existing laws having reference to said militia,

Was read a second time by its title,

And

On motion by Mr. Wagner,

Referred to the Committee on Military Affairs

Senate bill No. 39. A bill to give the same force and effect to surveys made by city surveyors in certain cases, as if made by county surveyors, and authorizing appeals therefrom,

Was read a second time,

And

On motion by Mr. ———,

Referred to the Committee on Corporations.

Senate bill No. 41. A bill supplemental to an act entitled "an act to amend sections one and two of an act to provide compensation to the owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in this State," approved March 1, 1853, and to provide the manner of the service of process, approved March 4, 1859,

Was read a second time,

And

On motion by Mr. Conner,

Was referred to the Committee on Corporations.

Senate bill No. 42. A bill to amend sections eight and ten of an act entitled "an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852,

Was read a second time, and

On motion by Mr. Conner,

Was referred to the Committee on the Organization of Courts.

Senate bill No. 44. A bill to make the copy of the register, catalogue, and description of lands, sold at any of the land offices within this State, to the board of commissioners of any county; prima facie evidence of the truth of their contents in all civil actions,

Was read a second time, and,

On motion by Mr. Willson,
Referred to the Committee on the Judiciary.

Senate bill No. 45. A bill to amend section three of an act entitled "an act to provide for the election of a reporter, and a speedy publication of the sessions of the Supreme Court, and for the compensation of such reporter,

Was read a second time, and

On motion by Mr. Craven,
Referred to the Committee on the Judiciary.

Senate bill No. 46. A bill to amend the fifty-seventh and fifty-ninth sections of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852,

Was read a second time, and

On motion by Mr. Wagner,
Laid upon the table, and three hundred copies thereof ordered to be printed.

Senate bill No. 47. A bill to amend the fifth and twenty-first sections of an act regulating general elections and prescribing the duties of officers in relation thereto, approved June 7, 1852.

Was read a second time.

Mr. March offered the following amendment :

"Amend so as to require sixty days residence in the county, and ten days in the township, precinct or ward where the elector offers to vote."

Mr. Craven offered the following amendment to the amendment :

Resolved, That the bill under consideration be referred to the Committee on Elections, with instructions to bring in two bills, one which shall define what residence is, under the provisions of the Constitution, and what length of time a voter shall live in a county or township, to constitute a residence : the other bill to provide penalties for the violation of the elective franchise.

Which was not agreed to.

The question recurring upon Mr. March's amendment,
The bill and pending amendment was referred to the Committee on Elections.

On motion by Mr. Johnston,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

The Senate proceeded with the Order of Business, being bills on second reading.

BILLS ON SECOND READING.

Senate bill No. 48. A bill to provide compensation to owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in this State.

Which was read a second time, and

On motion by Mr. Craven,

Referred to the Committee on Corporations.

Senate bill No. 49. A bill to provide for struck juries in the Circuit and Common Pleas Courts.

Which was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 50. A bill to amend the fifty-ninth section of an act entitled, "an act to repeal all general laws now in force, for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1857.

Which was read a second time, and,

On motion by Mr. O'Brien,

Was referred to the Committee on Corporations.

Senate bill No. 51. A bill to amend the ninety-fifth, ninety-seventh, ninety-eighth, ninety-ninth, and one hundred and first sections of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof," approved March 5, 1855, and repealing all laws and parts of laws coming in conflict with this act,

Was read a second time, and

On motion by Mr. Miller,

Referred to the Committee on Education.

Senate bill No. 52. A bill to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852,

Was read a second time, and

On motion by Mr. Claypool,

Referred to the Committee on the Judiciary.

Senate bill No. 53. A bill to provide proper offices for the use of county surveyors, providing for the recording of surveys, and declaring the character of such records as evidence; defining certain of the powers and duties of county surveyors, and prescribing fees for services contemplated in this act,

Was read a second time, and

On motion by Mr. Newcomb,

Referred to the Committee on County and Township Business.

Senate bill No. 54. A bill regulating docket fees in the court of common pleas, and providing compensation for district attorneys,

Was read a second time, and

On motion by Mr. Turner,

Referred to the Committee on the Judiciary.

Senate bill No. 55. A bill to provide for stationery and postage for members of the General Assembly of Indians, to provide for employing reporters and the publication of the proceedings of the Legislature in certain newspapers, and to provide for the taking of the same,

Was read a second time, and

On motion by Mr. Conley,

Referred to the Committee on Finance.

Senate bill No. 56. A bill to amend section ten of an act entitled "an act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857, so as to allow new counties to be formed out of territories of less than four hundred square miles, and prescribing how the number of qualified voters shall be ascertained,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 57. A bill to amend the first section of "an act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real estate, county treasurers and auditors, and

of the treasurer and auditor of State," and to legalize the actions of boards of county commissioners, in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate effect of this act

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 58. An act to amend an act entitled "an act relative to salaries of public officers, and provide the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859,

Was read a second time, and

On motion by Mr. Shoemaker,

Referred to the Committee on Finance.

Senate bill No. 59. A bill to amend the first section of an act entitled "an act for the incorporation of manufacturing companies and companies for mechanical, chemical and building purposes," approved May 20, 1852, so as to provide for the incorporation of companies to furnish motive power to carry on such business, or to supply any city or village with water,

Was read a second time, and

On motion by Mr. Miller,

Referred to the Committee on Corporations.

Senate bill No. 60. A bill defining certain felonies, and prescribing punishment therefor,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 61. A bill to require the county treasurers to settle with the county auditors for the delinquent tax collected, and to regulate the accounting for the same, and to repeal an act to amend the one hundred and third section of an act entitled "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, and for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State,

Was read a second time, and

On motion by Mr. Williams,

Referred to the Committee on County and Township Business.

Senate bill No. 62. A bill to provide for the collection of claims against railroad companies for materials furnished in the construction of railroads within this State; for fuel furnished for the running of

said roads, and stock killed by the cars, locomotives and other carriages of railroads within this State,

Was read a second time, and,

On motion by Mr. Shields,

Referred to the Committee on the Judiciary.

Senate bill No. 63. A bill to change the time when Township Trustees shall apportion the public moneys for school purposes, amongst the schools thereof, and to repeal all acts and statutes in conflict herewith,

Was read a second time and,

On motion by Mr. Stone,

Referred to the Committee on Education.

Senate bill No. 64. A bill to provide for the rights of married women in cases of the sale of land upon execution, or by virtue of any judicial proceeding, and in all other cases when the wife does not consent to the sale,

Was read a second time and,

On motion by Mr. Craven,

Referred to the Committee on the Judiciary.

Senate bill No. 65. A bill to dispense with the selecting and summoning of a petit jury for Courts of Common Pleas, where the business does not require it,

Was read a second time and,

On motion by Mr. Shoemaker,

Referred to the Committee on the Judiciary.

Senate bill No. 66. A bill to provide for a general system of Common Schools, the officers thereof, and their respective powers, duties, and matters properly connected therewith, and to establish Township Libraries and for the regulation thereof,

Was read a second time and,

On motion by Mr. Wagner,

Referred to the Committee on Education.

Senate bill No. 67. A bill to provide compensation to persons who may bring to justice fugitives from the same, and prescribing the duties of County Commissioners in relation thereto,

Was read a second time and,

On motion by Mr. Carnahan,

Referred to the Committee on Claims.

Senate bill No. 68. A bill to establish an Insurance Department, providing for a Commissioner thereof, prescribing the mode of his election, and defining his powers and duties; and

Senate bill No. 69. A bill to regulate the business transacted in this State by any Fire, Marine, Life, Health or Live Stock Insurance Companies not incorporated under the laws of this State,

Being on their second reading,

Mr. Newcomb moved to suspend the rules and read the bills a second time by their titles.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagnor, White, Williams and Wilson—34.

No Senator voting in the negative.

So the rules were suspended and Senate bills No. 68 and 69 were read a second time by their titles, and

On motion by Mr. Newcomb,

Referred to the Committee on the Judiciary.

By unanimous consent,

Mr. Turner introduced

Senate bill No. 79. A bill to amend section four of an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act."

Which was read a first time and passed to a second reading on tomorrow.

By unanimous consent,

Mr. Claypool offered the following resolution:

Resolved, That the Committee on Finance be instructed to inquire into and report to the Senate all warrants drawn on the Treasury that have been drawn in violation of law.

Which was agreed to.

On motion by Mr. Conner,

Mr. Claypool was added to the Committee on Finance.

Leave being granted,

Mr. Shoulders presented a petition from sundry citizens of Dubois county, Indiana, asking the repeal of an act authorizing the formation of new counties, and to change county boundaries," approved March 7th, 1857, and also the amendments thereto, approved March 5th, 1859.

Which,

On motion,

Was referred to a select committee on County and Township Business.

Mr. Conley introduced

Senate bill No. 80. A bill to repeal an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act," approved February 26, 1857.

Which was read a first time and passed to a second reading on tomorrow.

On motion by Mr. Newcomb,

The Committee on Public Buildings were granted leave of absence for the remainder of the day.

On motion by Mr. Carnahan,

The Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
January 25, 1861. }

The Senate met.

The Journal of the preceding day was read.

Mr. DeHart presented a petition from sundry citizens of Cass county, Indiana, asking the enactment of a law for the protection of sheep from dogs.

Which,

On motion by Mr. DeHart,

Was referred to the Committee on Agriculture.

Mr. Robinson presented a memorial from sundry citizens of Switzerland county, Indiana, in reference to the state of the Union.

Which, under the rule, was referred to the Committee on Federal Relations.

On motion by Mr. Conley,

Resolved, That the Committee on the Organization of Courts be, and they are hereby instructed to inquire into the expediency of abolishing the grand jury system of information in the courts of justice, and instituting some other method of information for violation of the law that will be less expensive and reach the ends of justice, and that said committee be requested to report a bill to that effect, if deemed expedient.

On motion by Mr. Stone,

Resolved, That the Committee on County and Township Business be instructed to inquire into the expediency of so changing the present law in reference to the issuing of marriage licenses by the clerk of the Circuit Court as to make the same a part of the duties of the county recorder.

Mr. Shoulders offered the following resolution :

Resolved, That the Committee on Education be requested to inquire into the expediency of so amending the school law as to prevent persons from voting for school director in their district who have no children to send to school, and that they report by bill or otherwise.

Which was agreed to.

On motion by Mr. Wilson,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill making the recognizances of securities a lien upon the real estate of such security from the time of entering into the same.

Mr. Grubb offered the following preamble and resolution :

WHEREAS, The fees in a number of the counties paid to county officers are exorbitant, owing to the construction of the laws by the county commissioners in making the allowances to said officers; therefore,

Resolved, That the Committee on County and Township Business be instructed to inquire into the expediency of fixing by law a specific

salary to be paid to the county auditor, county treasurer, sheriff, and the clerk of the Circuit and Common Pleas Courts, for all public services by them performed, the amount to be graded according to the population of the different counties, and that they have leave to report by bill or otherwise.

Which was agreed to.

Mr. Newcomb offered the following resolution :

Resolved, That the judges of the Supreme Court are respectfully requested to examine any bills designed to prevent frauds in elections, which may be submitted to them by the Senate, or by the committees having such bills in charge, and to give their opinions in writing upon the constitutionality thereof; and especially as to the following points :

First. Can the General Assembly, under the present Constitution, pass a law prescribing a residence for any given number of days in the precinct where the person offering to vote claims to reside; or have the General Assembly the power to define by law how long a person claiming to be a voter must be an inhabitant of the precinct before he shall be deemed a resident.

Second. Can the General Assembly constitutionally pass a registry law for the purpose of defining and ascertaining who are entitled to the right of suffrage, and to prevent unqualified persons from voting.

Mr. Miller offered the following amendment :

Amend so as to include bills relative to common schools reported by the Committee on Education.

Mr. Landers offered the following amendment to the amendment :

Amend so as to include all other bills before the Senate.

On motion by Mr. Johnston,

The resolution and pending amendments were laid upon the table.

On motion by Mr. Robinson,

Resolved, That the Committee on Agriculture be instructed to ascertain the amount of money, if any, paid to the State Board of Agriculture for extra services, and contingent expenses awarded, speci-

fyng such expense and service, and report at their earliest convenience.

On motion by Mr. Dickinson,

Resolved, That a select committee of five be appointed, to whom so much of the Governor's message as relates to a "House of refuge for juvenile offenders," be referred, and report by bill or otherwise what legislation, if any, is necessary on the subject.

The President appointed Senators Dickinson, Shields, Newcomb, Anthony and Hamilton said select committee.

Mr. Johnston introduced

Senate bill No. 81. A bill to amend the fifty-first section of an act defining misdemeanors and prescribing punishment therefor," approved January 14, 1852,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Johnston introduced

Senate bill No. 82. A bill to repeal an act to amend the one hundred and forty third section of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, for the election of township assessors, and prescribing the duties of certain officers, approved June 21, 1852," approved March 4, 1859,

Which was read a first time, and passed to a second reading on tomorrow.

On motion, the rules were suspended and the Senate took up

BILLS ON A SECOND READING.

Senate bill No. 70. A bill for the relief of John M. White,
Was read a second time, and,

On motion,
Referred to the Committee on Finance.

On motion by Mr Steele,

The vote referring the bill to the Committee on Finance was reconsidered, and,

On motion,
The bill was then referred to a select committee of three.

The President appointed, Messrs Steele, Newcomb and Craven said select committee.

Senate bill No. 71. A bill to provide for the incorporation of street railroad companies,

Was read a second time, and,

On motion by Mr. Wagner,

Referred to the Committee on Corporations.

Senate bill No. 73. A bill to amend an act entitled "an act to authorize county agricultural societies to purchase and hold real estate, approved February 7th, 1855,"

Was read a second time, and,

On motion by Mr. Miller,

Referred to the Committee on Agriculture.

Senate bill No. 75. A bill to amend the 5th section of an act to provide for the sale of county seminaries and the property belonging thereto, and to transfer the proceeds thereof to the common school fund, after deducting advances made by individuals, and to repay such advances, approved June 12, 1852."

Was read a second time, and,

On motion,

Referred to the Committee on Education.

Senate bill No. 76. A bill to legalize the listing and assessment of property in the cities of this State, and the making out of the tax duplicates of such cities, and to authorize the treasurers and collectors of such cities to collect taxes in certain cases,

Was read a second time, and,

On motion by Mr. O'Brien,

Referred to the Committee on Corporations.

Senate bill No. 77. A bill to limit jurisdiction in civil actions to the county or township where one of the parties immediately liable to judgment and execution resides,

Was read a second time, and,

On motion by Mr. Miller,

Was referred to the Committee on the Judiciary.

Senate bill No. 78. A bill to provide for oral argument and speedy decisions of causes in the Supreme Court, and to repeal all laws inconsistent with this act,

Was read a second time, and,

On motion,

Ordered, To be engrossed, and read a third time on to-morrow.

Senate bill No. 79. A bill to amend section four of an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act,"

Was read a second time, and,

Ordered, To be engrossed, and read a third time on to-morrow.

Senate bill No. 80. A bill to repeal an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act," approved Feb. 26, 1857,

Was read a second time, and,

On motion by Mr. Miller,

Referred to the Committee on Agriculture.

By unanimous consent, Mr. Wagner introduced

Senate bill No. 83. A bill assessing tax for common schools, and providing for the collection, distribution and expenditure thereof,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner introduced

Senate bill No. 84. A bill to amend section two of an act entitled "an act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. O'Brien introduced

Senate bill No. 85. A bill to legalize the appraisement and assessment of property in the cities of this State, and the making out and delivering of tax duplicates in the cities in this State, in certain cases,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Conley offered the following resolution :

Resolved, That the Committee on the Organization of Courts be, and they are hereby instructed to inquire into the expediency of abolishing the Courts of Common Pleas, and establishing a surrogate system for the settlement of decedents' estates, by providing for the election of an officer, and conferring upon him surrogate powers as above provided; who shall keep an office at the county seat, open at all all hours during the day (Sundays excepted) for the transaction of business properly connected with his office; said officer to have exclusive jurisdiction in regard to the settlement of decedents' estates, except in cases wherein the title of land is concerned; to provide for making said surrogate his own clerk; and paying him a fixed salary,

to be paid out of the State Treasury; and to inquire into the propriety of creating an additional number of Circuit Courts, with jurisdiction over all civil and criminal matters now within the jurisdiction of said common pleas courts,

Which was agreed to.

On motion by Mr. Turner,

The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

The Senate took up the following message from His Excellency Governor Morton:

EXECUTIVE DEPARTMENT, }
Indianapolis, Jan. 21, 1861. }

To the Senate of Indiana:

I have received from the Governor of the State of New York certain resolutions in relation to the troubles and dissensions now afflicting the nation, passed by the Legislature of that State, which I herewith transmit, and lay before your Honorable body.

OLIVER P. MORTON, *Governor.*

Concurrent Resolutions tendering aid to the President of the United States in support of the Constitution and the Union.

STATE OF NEW YORK, }
In Assembly, Jan. 11, 1861. }

WAEREAS, Treason, as defined by the Constitution of the United States, exists in one or more of the States of this Confederacy; and Whereas, the insurgent State of South Carolina, after seizing the post office, custom house, moneys and fortifications of the Federal Government, has, by firing into a vessel, ordered by the Government to convey troops and provisions to Fort Sumter, virtually

declared war; and Whereas, The forts and property of the Government in Georgia, Alabama and Louisiana, have been unlawfully seized with hostile intentions; and Whereas, further, Senators in Congress avow and maintain their treasonable acts, therefore,

Resolved, (If the Senate concur), That the Legislature of New York, profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic special message of the President of the United States, and that we tender to him, through the Chief Magistrate of our own State, whatever aid in men and money he may require to enable him to enforce the laws and uphold the authority of the Federal Government. And that in defense of "the more perfect Union," which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our fathers, we are ready to devote "our fortunes, our lives and and our sacred honor" in upholding the Union and the Constitution.

Resolved, (If the Senate concur), That the Union-loving Representatives and citizens of Delaware, Maryland, Virginia, North Carolina, Kentucky, Missouri and Tennessee, who labor with devoted courage and patriotism to withhold their States from the vortex of secession, are entitled to gratitude and admiration of the whole people.

Resolved, (If the Senate concur), That the Governor be respectfully requested to forward, forthwith, copies of the foregoing resolutions to the President of the Nation, and the Governors of all the States of the Union.

The preceding preamble and resolutions were duly passed.

By order,

H. A. RISLEY, *Clerk*.

IN SENATE, January 11, 1861.

The preceding preamble and resolutions were duly passed.

By order,

JAMES TERWILLIGER, *Clerk*.

Which, under the rule, was referred to the Committee on Federal Relations.

The Senate took up the following message from the Governor :

EXECUTIVE DEPARTMENT, }
Indianapolis, January 21, 1861. }

To the Senate of the State of Indiana :

I have received from the Governor of the State of Ohio, certain resolutions in relation to the troubles and dissensions now afflicting

the Nation, passed by the Legislature of that State, which I herewith transmit and lay before your Honorable Body.

OLIVER P. MORTON, *Governor*.

Joint Resolution of the General Assembly of the State of Ohio, passed January 12th, 1861.

Resolved, By the General Assembly of the State of Ohio, as follows :

First. That the people of Ohio, believing that the preservation of the unity of Government, that constitutes the American people one people, is essential to the support of their tranquility at home, of their peace abroad, of their safety, of their prosperity, and of that very liberty which they so highly prize, are firmly and ardently attached to the National Constitution and the union of the States.

Second. That the General Government cannot permit the secession of any State without violating the obligations by which it is bound under the compact to the other States, and to every citizen of the United States.

Third. That whilst the constitutional rights of every State in the Union should be preserved inviolate, the powers and authority of the National Government must be maintained, and the laws of Congress faithfully enforced in every State and Territory, until repealed by Congress or adjudged to be unconstitutional by the proper judicial tribunal; and all attempts by State authorities to nullify the Constitution of the United States, or the laws of the Federal Government, or to assist the execution thereof, are revolutionary in their character and tend to the disruption of the best and wisest system of Government in the world.

Fourth. That the people of Ohio are inflexibly opposed to intermeddling with the internal affairs and domestic relations of the other States of the Union; in the same manner and to the same extent as they are opposed to any interference by the people of other States with their domestic concerns.

Fifth. That it is the will and purpose of the people of Ohio to fulfill in good faith all their obligations under the Constitution of the United States, according to the spirit and intent thereof; and they demand the faithful discharge of the same duty by every State in the Union; and thus as far as may be to insure tranquility between the State of Ohio and the other States.

Sixth. That it is incumbent upon any States having enactments on their statute books conflicting with or rendering less efficient the

Constitution or laws of the United States, to repeal them; and it is equally incumbent upon the General Government and the several States to secure to every citizen of the Union his rights in every State under that provision of the Constitution which guarantees to the citizens of each State all the privileges and amenities of the citizens of the several States, and thus inspire and restore confidence and a spirit of fraternal feeling between the different States of the Union.

Seventh. That the Union-loving citizens of those States who have labored and still labor with devotional courage and patriotism to withhold their States from the vortex of secession, are entitled to the admiration and gratitude of the whole American people.

Eighth. That we hail with joy the recent firm, dignified and patriotic special message of the President of the United States, and that the entire power and resources of Ohio are hereby pledged whenever necessary and demanded for the maintenance, under strict subordination to the civil authority of the Constitution and laws of the General Government, by whomsoever administered.

Ninth. That the Governor be requested to forward forthwith copies of the foregoing resolutions to the President of the Nation, and to the Governors of all the States of the Union, and to each of the Senators and Representatives in Congress from this State, to be by them presented to each branch of the National Legislature.

Attest:

R. C. PARSONS,
Speaker of House of Representatives.
R. C. KIRK,
President of the Senate.

The resolutions were then, under the rule, referred to the Committee on Federal Relations.

The Senate took up the following House messages:

MR. PRESIDENT:

I am directed by the House to inform the Senate of the passage of the following Joint Resoution:

Resolved, (the Senate concurring therein), That a joint committee of seven be appointed, four on the part of the House and three on the part of the Senate, whose duty it shall be to report a bill apportioning the State of Indiana for Senatorial and Representative purposes for the next six years.

MR. PRESIDENT:

I am directed by the House to request of the Senate the return to the House of the concurrent resolution of the House relating to the re-apportionment of the State of Senatorial and Representative Districts.

Which was concurred in.

MR. PRESIDENT—

I am directed by the House of Representatives to inform the Senate of the passage by the House of the following Joint Resolution:

Joint Resolution No. 23. *Resolved*, That the Auditor and Secretary of State be and they are hereby directed to distribute to the county of Newton, and to all other new counties not having heretofore received them, their distributive share of all Journals, Acts, Statutes, Reports and all other documents to be distributed to counties under any existing law.

House Joint Resolution No. 23, contained in the foregoing message, was read.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams and Wilson—34.

No Senator voting in the negative.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate of the passage of the following Joint Resolutions:

House Joint Resolution No. 8. Instructing our Senators and requesting our Representatives in Congress to take such action as will secure to each actual settler on the public lands one hundred and sixty acres of the same.

House Joint Resolution No. 7. Instructing our Senators and requesting our Representatives in Congress to procure further legislative relief for the soldiers of the war of 1812, and their widows, during natural life. Also,

House Joint Resolution No. 11. Joint Resolution on the free navigation of the Mississippi River.

In which the concurrence of the Senate is respectfully requested.

House Joint Resolution No. 7, contained in the foregoing message, was read.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams and Wilson—34.

No Senator voting in the negative.

So the Joint Resolution passed.

Ordered, That the Secretary inform the House thereof.

House Joint Resolution No. 8, contained in the foregoing message, was read.

Mr. Conley offered the following amendment:

Amend by adding in the proper place the word "white" before the word "settler,"

Which was unanimously agreed to.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, O'Brien,

Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams, and Wilson—34.

No Senator voting in the negative.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

House joint resolution No. 11, contained in the foregoing message,
Was read, and, under the rule,
Referred to the Committee on Federal Relations.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to wit:

Senate bill No. 14, A bill to amend section forty-eight of an act entitled "An act providing for the settlement of decedents' estates," prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.

Mr. Conley presented the proceedings and resolutions of a meeting of sundry citizens of Owen county, Indiana, on the State of the country,

Which, under the rule, were

Referred to the Committee on Federal relations.

Mr. Claypool introduced

Senate bill No. 86. A bill to amend the fourth, sixth and seventh section of the act, entitled "an act to amend an act to authorize and regulate the business of general banking," passed March 3, 1855,

Which was read a first time.

Mr. Claypool moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, Newcomb,

O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams, and Wilson—35.

No Senator voting in the negative.

So the rules were suspended, the bill read a second time by its title, and,

On motion,
Referred to the Committee on Banks.

Mr. Shields introduced

Senate bill No. 87. A bill for the relief of sundry citizens of Jackson and Washington counties,

Which was read a first time and passed to a second reading on to-morrow.

The Senate took up the following House message :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate of the passage by the House of the following bill :

House bill No. 104, entitled a "bill to provide for deficiency in the treasury by a loan of seventy-five thousand dollars from the Commissioners of the Sinking Fund, and for the security and repayment of the same,"

In which the concurrence of the Senate is respectfully requested.

House bill No. 104, contained in the foregoing message,

Was read a first time.

Mr. Wagner moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution :

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Turner, Wagner, White, Williams, and Wilson—34.

No Senator voting in the negative.

So the rules were suspended, and the bill read a second time by its title, and,

On motion by Mr. Wagner,
Referred to the Committee on Finance.

Mr. Miller introduced

Senate bill No. 88. A bill to amend sections sixty-two and seventy-one of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Claypool, from the Committee on Finance, made the following report:

MR. PRESIDENT:

I am directed by the Committee on Finance, to which was referred Senate Resolution introduced by Mr. Jones, which reads as follows, to-wit:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of reporting a bill at any early day providing for replenishing the Treasury by requiring the County Treasurers of each county to pay into the State Treasury the amount of State revenue they may have collected and have on hand on the 15th of February 1861,"

To report that it is inexpedient to report such bill.
Which was concurred in.

Mr. Wagner, chairman of the Committee on Finance, presented the following report from that committee:

MR. PRESIDENT—

I am directed by the Committee on Finance, to which was referred Senate bill No. 55, to report said bill back to the Senate and recommend its passage.

The report was concurred in, and

On motion,
The bill was laid upon the table.

On motion by Mr. Conner,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
January 26, 1861.

The Senate met.

The Journal of the preceding day was read.

A message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to bring to the Senate for the signatures of the President and Secretary thereof, the following enrolled act of the House, to-wit:

Enrolled Act No. 59 of the House. An act to amend section first of an act entitled "an act to fix the time of holding the Common Pleas Court in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent herewith," approved March 5, 1859.

And also the following enrolled Joint Resolution of the House, to-wit:

Joint Resolution No. 9. A Joint Resolution in regard to postage, pay and mileage of members and officers of the General Assembly.

The President and Secretary signed the bill and Joint Resolution.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Wilson presented a petition from sundry citizens of Sullivan county, Indiana, asking the repeal of an act entitled "an act to authorize the formation of new counties, and to change county boundaries," approved March 7th, 1857, and also the amendments thereto, approved March 5th, 1859.

Which,

On motion by Mr. Line,

Was referred to the select committee on County and Township Business.

REPORTS FROM STANDING COMMITTEES.

Mr. Wagner, chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred

House bill No. 104. A bill to provide for deficiencies in the Treasury by a loan of seventy-five thousand dollars from the Commissioners of the Sinking Fund, and for the security and re-payment of the same,

Have had the same under consideration, and directed me to report it back and recommend its passage.

House bill No. 104, contained in the foregoing report,
Was read a third time.

Mr. Cobb moved to re-commit to the Committee on Finance, with instructions to strike out "Sinking Fund," wherever it occurs, and insert "The Bank of the State of Indiana," and to strike out "seven per cent." where it occurs, and insert "six."

Mr. Stone moved to postpone the consideration of the report, and House engrossed bill No. 104, therein contained, with the pending instructions, until Monday next at 2 o'clock P. M.

Which was agreed to.

Mr. Steele offered the following resolution :

Resolved, That when the Senate adjourns it will adjourn until two o'clock P. M. on Monday next.

The question being, shall the resolution be adopted?

The ayes and noes being demanded by Senators Wagner and Steele,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Claypool, Cobb, Conley, Cravens, Johnston, Jones, Landers, O'Brien, Slack, Steele and Stone—15.

Those who voted in the negative were,

Messrs. Carnahan, Conner, Craven, Hamilton, Hull, Line, Lomax, March, Mellett, Miller, Newcomb, Odell, Ray, Shoemaker, Shoulders, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—23.

So the resolution was not adopted.

Mr. March, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred

Senate bill No. 9. A bill to amend section nine of the act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, so as to extend throughout the county, have had the same under consideration, and directed me to report the same back and recommend its indefinite postponement.

The question being, shall the report of the Committee be concurred in ?

The ayes and noes having been demanded by Senators Line and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Carnahan, Cobb, Conley, Conner, Craven, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, Line, March, Mellett, Newcomb, Odell, Ray, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Wagner, White, Williams, Wilson and Wolfe—31.

Those who voted in the negative were,

Messrs. Claypool, Miller, O'Brien, Teegarden and Turner—5.

So the report was concurred in, and the bill indefinitely postponed.

Mr. Conner, from the Judiciary Committee, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred

Senate bill No. 65. A bill to dispense with the selecting and summoning of a petit jury for Courts of Common Pleas, where the business does not require it,

Having had the same under consideration, have directed me to report the same back with the accompanying amendment; and when so amended, they recommend its passage.

Amend by adding to the bill the following provision :

Provided, that no juror shall serve at more than one term of such court during one year, if challenged.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 52. An act to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852, with proposed amendments, have had the same under consideration, and have instructed me to report the same back, and recommend its passage. Amend the eighth specification of section three hundred and fifty-two by striking out in line 7th of said eighth specification, the words "on the payment of costs," and inserting "at the costs of the party applying therefor." And inserting in line 9th, at the proper place, "or apporportion the costs."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

By unanimous consent, Mr. Turner offered the following resolution:

Resolved, That the Committee on County and Township Business be instructed to inquire into the expediency of a change of law requiring the transfer of deeds before their record,

Which was adopted.

Mr. Conley offered the following resolution:

Resolved, That the Senators who desire to go home, have leave of absence until Monday, 2 P. M.

Which,

On motion by Mr. Wagner,
Was laid upon the table.

Mr. Anthony offered the resolution:

Resolved, That the Committee on State Prison be directed to inquire into the matters in controversy between the directors of the prison south and the contractors at said prison. The reason of the failure of said contractors to pay to the State the amount claimed to be due upon their contracts; what measures of release, if any, are necessary; and all other proper matters in connection therewith, and that said committee be empowered to send for persons and papers.

Mr. Claypool moved to amend the resolution as follows:

That the Attorney General be instructed to institute suit against the contractors, if in his opinion it is necessary, to enforce the obligations of the contracting parties.

Mr. Miller offered the following amendment to the amendment:

Amend the amendment so as to request the Attorney General to give such information as he may acquire upon the subject, to the Senate, before bringing any suit.

Mr. Wagner moved to lay the amendments on the table,
Which was not agreed to.

Mr. Mellett moved to refer the resolution and amendments to the Committee on the Judiciary.

Mr. Wagner moved to lay the motion on the table,
Which was agreed to.

The question recurring upon the amendment to the amendment,

On motion by Wagner,

The resolution and pending amendments were referred to the Committee on State Prison.

On motion by Mr. Johnston,

Resolved, That the Committee on Education be instructed to inquire into, and report to the Senate, whether, under the present law, the interest derived from the loaning of the sinking fund is distributed to the several counties of this State for school purposes; and if not, inquire into the expediency of amending the law of 1859 in reference to the distribution of said sinking fund, so as to require the interest to be distributed to the several counties for school purposes, and to report by bill or otherwise.

On motion by Mr. Johnston,

Resolved, That the Committee on Agriculture be instructed to inquire into the expediency of repealing the law requiring assessors to make out and return to the county auditors the statistical list for information, as is now required by law, and report by bill or otherwise.

On motion by Mr. Line,

Mr. Beeson was granted leave of absence until Monday at 2 o'clock P. M.

On motion by Mr. March,

Mr. Stone was granted leave of absence until Tuesday morning at 9 o'clock.

On motion by Mr. Cobb,

Mr. Slack was granted leave of absence for one week.

On motion by Mr. Wolfe,

Mr. Landers was granted leave of absence until Monday at two o'clock P. M.

On motion by Mr. Ray,

Mr. Johnston was granted leave of absence until Monday next at two o'clock P. M.

On motion by Mr. Wilson,

Resolved, That the Committee on Finance be requested to inquire into the expediency of a more effectual remedy for the collection of

delinquent taxes; that they be requested to report a bill requiring the county auditor to furnish the township trustees with a copy of the delinquent list for his township, and making it the duty of such trustee to collect all the delinquent taxes for his township, and allowing such trustee ten per centum on all such sums collected, and require such trustee to report, and pay over all moneys to the county treasurer on the first Monday of each month.

On motion by Mr. Wagner,

Resolved, That the Secretary of the Senate is hereby directed to deliver to the chairman of the Committee on the Phraseology and arrangement of Bills, for examination, all Senate bills as soon as they are ordered to be engrossed.

On motion by Mr. Conley,

Resolved, That when the Senate adjourns, it adjourn to meet on Monday at 2 o'clock, P. M., so as to permit the meeting of committees during the adjournment.

Mr. Berry, chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

I am directed by the Committee on Enrolled Bills to report to the Senate that they have compared the enrolled with the engrossed copy of

Senate bill No. 14. A bill to amend section forty-eight of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852,

And find the same to be a true copy thereof.

On motion by Mr. Line,
The Senate adjourned.

MONDAY, 2 o'clock, P. M., }
January 28, 1861. }

The Senate met.

The Journal of the preceding day was read.

The President laid before the Senate the following communication from the President of the Bank of the State of Indiana:

To the Honorable President of the Senate of the State of Indiana:

I have received from the Secretary of the Senate, a resolution adopted on the 22d instant, of which the following is a copy, viz:

Resolved, That the President of the Bank of the State be requested to report to the Senate, at his earliest convenience, whether there is any legislation necessary to cause the said Bank to furnish a greater amount of circulation for the relief of the people; also, whether any of the Branches (and their names, if any,) are opposed to accepting an act authorizing additional Branches without an increase of capital, and the cause of such opposition.

In reply to this resolution, I have to say, that in my opinion, no legislation is needed to "cause the Bank to furnish a greater amount of circulation for the relief of the people."

I am not aware that any branch of productive industry of the State is suffering for want of money facilities. All of our leading staples find a ready sale, at satisfactory and remunerating prices to the producer. If any branch of industry or business is depressed, this depression is attributable to causes that an increase of bank note circulation would not tend to remove. The circulation of the Bank has been recently considerably reduced, partly because our notes are being rapidly returned for eastern exchange and coin, and because a due regard for the credit of the State and the interest of the people requires us to keep our business in a condition to enable us to be prepared to maintain specie payments under any and all circumstances, but chiefly because all prudent men, in all branches of commerce and trade, are inclined to put their affairs in the closest possible shape in preparation for the apprehended interruption of business which existing and future political difficulties are likely to bring about.

What we need, is not an increase of money or of bank note circu-

lation, but a restoration of confidence, which can only be effected by a definite and permanent settlement of those political questions that now agitate and distract the country.

As no legislation at the present session of the General Assembly authorizing the establishment of additional branches was anticipated by us, this subject has not been discussed in the Board of Control, nor as I am informed, in the Branch Boards.

On this point, I would only remark, that in the present unsettled condition of our national affairs, and with the uncertainty that hangs over the future, an increase of banks, in Indiana, or an expansion of our bank note circulation would seem both unnecessary and injudicious. But, while such is the fact, and while our Branches, regarding their pecuniary interests alone, would be opposed to any addition to their present number, I am not prepared to say, if our present unfortunate political difficulties should be settled and business should flow freely again in its accustomed channels, that any considerable number of our Branches would be inclined to reject such legislation as would enable us to extend, to a few points in the State, those bank facilities, of which they are at present deprived, and which their business interests seem to require.

I have the honor to be,

Your obedient servant,

H. McCULLOUGH,

President of the Bank of the State of Indiana.

INDIANAPOLIS, January 26, 1861.

A message from the Governor, by Mr. Holloway, Executive Messenger.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed the following bill:

Senate bill No. 14. An act to amend section forty-eight of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 7, 1852.

The Senate having resumed the consideration of the Order of the Day, being House bill No. 104, with the pending amendments, Senator Steele being in the chair, the Senate was addressed upon the subject matter pending, by Senators Wagner, Cobb, Anthony, Shields, Cravens, Line and Tarkington.

Mr. Tarkington moved to lay the bill and pending instructions upon the table.

Mr. Wagner demanded a division of the question.

The question being, shall the instructions lay upon the table?

The ayes and noes being demanded by Senators Johnston and Line,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Campbell, Conner, Cravens, DeHart, Hull, March, Mellett, Miller, Newcomb, Steele, Turner, Wagner and White—16.

Those who voted in the negative were,

Messrs. Berry, Blair, Carnahan, Cobb, Craven, Culver, Dickinson, Ferguson, Grubb, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Teegarden, Williams, Wilson and Wolfe—25.

So the instructions were not laid upon the table.

The question being, shall the bill be laid upon the table?

The ayes and noes having been demanded by Senators Williams and Carnahan,

Those who voted in the affirmative were,

Messrs. Berry, Carnahan, Claypool, Cobb, Craven, Culver, Dickinson, Ferguson, Grubb, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Teegarden, Williams, Wilson and Wolfe—25.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Conner, Cravens, DeHart, Hamilton, Hull, March, Mellett, Newcomb, Steele, Turner, Wagner and White—17.

So the bill was laid upon the table.

The President laid before the Senate the following report from the State Librarian:

TO THE HON. JOHN R. CRAVENS,

President of the Senate—

The undersigned, State Librarian, would respectfully submit the following report, made in compliance with a resolution passed by the Senate on the 15th day of January, 1861, requiring him to make report every two weeks of the amount of Stationery purchased and the amount consumed by the Senate:

SENATOR HARVEY CRAVEN—

January 18, 1861,	To 2 quires letter paper;
	“ 2 quires legal cap;
	“ 2 quires foolscap;
	“ 2 packages envelopes;
	“ 6 pens;
	“ 2 pencils;
January 23,	“ 2 packages envelopes.

SENATOR G. D. WAGNER—

January 18, 1861,	To 1 package envelopes;
“ 23,	“ 1½ quires letter paper;
	“ 1½ quires legal cap;
	“ ½ quire foolscap;
	“ 1 dozen pens;
	“ 4 pen-holders.

SENATOR A. L. HAMILTON—

January 18, 1861,	To 2 quires letter paper;
	“ 1 quire foolscap;
	“ 2 packages envelopes;
	“ 12 quills;
	“ 2 pencils.

SENATOR H. K. WILSON—

January 18, 1861,	To 3 quires letter paper;
	“ 1 quire legal cap;
	“ 1 quire foolscap;
	“ 2 packages envelopes;
	“ 6 quills;
	“ 2 pencils;
	“ 2 pieces blotting paper.

SENATOR JAMES ODELL—

January 21, 1861,	To ½ quire letter paper;
	“ 1 package envelopes;
	“ 1 pencil;

January 21, 1861, To 1 quire note paper;
 " $\frac{1}{2}$ quire legal cap.

SENATOR S. BLAIR—

January 18, 1861, To 1 quire letter paper;
 " 1 quire foolscap;
 " 1 package envelopes;
 " 1 package large envelopes;
 " 1 package letter envelopes.

SENATOR R. P. DEHART—

January 17, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 2 packages envelopes;
 " 2 pencils.

SECRETARY JAMES N. TYNER—

January 18, 1861, To $\frac{1}{2}$ ream letter paper;
 " $\frac{1}{2}$ ream legal;
 " 6 bundles envelopes;
 " 1 gross W. M. pens;
 " 1 dozen pencils;
 January 22, " 2 large ink-stands;
 " 1 rule;
 " 1 eraser;
 " 2 pieces rubber;
 " 1 bottle ink;
 January 23, " $\frac{1}{2}$ ream letter paper;
 " $4\frac{1}{2}$ quires enrolling paper.

SENATOR JAMES S. HULL—

January 18, 1861, To 2 quires letter paper;
 " 2 quires legal cap;
 " 1 bundle envelopes;
 January 25, " $\frac{1}{2}$ quire foolscap.

SENATOR M. D. WHITE—

January 18, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 quire foolscap;
 " 2 bundles envelopes;
 " 1 box pens;
 " 1 pencil.

SENATOR A. STONE—

January 18, 1861, To 1 quire letter paper;

January 18, 1861, To $\frac{1}{2}$ quire legal cap;
 " $\frac{1}{2}$ quire foolscap;
 " 2 bundles envelopes;
 " $\frac{1}{2}$ dozen pens;
 " 2 pencils.

SENATOR G. K. STEELE—

January 21, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 quire foolscap;
 " 2 bundles envelopes;
 " 2 pencils.

SENATOR S. K. WOLFE—

January 21, 1861, To 2 quires letter paper;
 " 3 quires legal cap;
 " 3 quires foolscap;
 " 2 bundles envelopes;
 " 1 box pens;
 " $\frac{1}{2}$ dozen quills;
 " 2 pencils.

SENATOR A. B. LINE—

January 18, 1861, To 1 bundle envelopes;
 " $\frac{1}{2}$ quire letter paper;
 " $\frac{1}{2}$ quire legal cap;
 " $\frac{1}{2}$ quire foolscap;
 " $\frac{1}{2}$ dozen pens;
 " 2 pencils.

SENATOR HENRY CAMPBELL—

January 21, 1861, To 2 quires letter paper;
 " 1 bundle envelopes;
 " 1 pencil.

SENATOR D. C. ANTHONY—

January 21, 1861, To 2 quires letter paper;
 " 2 quires legal cap;
 " 2 quires foolscap;
 " 2 bundles envelopes;
 " 1 pencil;
 " $\frac{1}{2}$ quire note paper.

SENATOR J. D. WILLIAMS—

January 18, 1861, To 1 quire letter paper;
 " 1 quire legal cap;

January 18, 1861, To 1 quire foolscap;
 " 1 bundle envelopes;
 " 1 dozen pens;
 " 2 pencils.

SENATOR M. M. RAY—

January 21, 1861, To 4 quires letter paper;
 " 4 quires legal cap;
 " 4 quires foolscap;
 " 1 bundle envelopes;
 " 1 box pens;
 " 1 dozen pencils.

SENATOR JAMES D. CONNER—

January 22, 1861, To 1 quire letter paper;
 January 26, " 2 quires letter paper;
 " 1 quire legal cap;
 " 1 bundle envelopes.

SENATOR A. JOHNSTON—

January 21, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 quire foolscap;
 " 1 bundle envelopes;
 " 1 box pens;
 " 2 pencils.

SENATOR B. L. ROBINSON—

January 23, 1861, To 1 bundle envelopes.

SENATOR R. ROBBINS—

January 23, 1861, To 2 quires letter paper;
 " 1 quire legal cap;
 " 1 bundle envelopes;
 " 2 pencils.

SENATOR DAVID TURNER—

January 23, 1861, To 1 quire letter paper;
 " $\frac{1}{2}$ quire legal cap;
 " 1 quire foolscap;
 " 1 bundle envelopes;
 " 1 dozen pens;
 " 1 pencil.

SENATOR M. T. CARNAHAN—

January 23, 1861, To 1 bundle envelopes;
 January 24, " $\frac{1}{2}$ quire letter paper.

SENATOR C. O'BRIEN—

January 23, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 quire foolscap;
 " 1 bundle envelopes;
 " 1 dozen pens;
 " 1 pencil.

SENATOR JOHN R. CRAVENS—

January 24, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 2 bundles envelopes;
 " 1 dozen pens.

SENATOR O. BEESON—

January 24, 1861, To 2 quires letter paper;
 " 2 bundles envelopes;
 " 1 pencil.

SENATOR G. R. GRUBBS—

January 24, 1861, To $\frac{1}{2}$ quire letter paper;
 " $\frac{1}{2}$ quire legal cap;
 " $\frac{1}{2}$ quire foolscap;
 " 1 package envelopes;
 " $\frac{1}{2}$ dozen pencils.

SENATOR B. F. CLAYPOOL—

January 24, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 bundle envelopes.

SENATOR WALTER MARCH—

January 24, 1861, To 1 bundle envelopes;
 " 1 large ink-stand;
 " 1 quire letter pap;
 " 1 quire legal cap.

SENATOR T. R. DICKINSON—

January 24, 1861, To 2 quires letter paper;
 " 2 quires legal cap;
 " 4 packages envelopes.

SENATOR FRANKLIN LANDERS—

January 25, 1861, To $\frac{1}{2}$ quire legal cap.

SENATOR H. C. NEWCOMB—

January 26, 1861, To 2 quires letter paper;
 “ 1 quire legal cap;
 “ 1 bundle envelopes;
 “ 1 dozen pens.

The following is the amount furnished from the Secretary of State's office:

January 17, 1861, 2 reams letter paper;
 2 reams legal cap;
 2 gross envelopes;
 January 21, 1 box W. M. Pens;
 January 23, 3 reams foolscap;
 3 reams legal cap;
 3 boxes envelopes;
 3 gross pencils;
 3 gross pens;
 1 ream note paper;
 6 dozen pen holders;
 3 quarts of sand.

From Stewart & Bowen's.

$\frac{1}{2}$ dozen bottles mucilage.

R. D. BROWN, *State Librarian.*

January 28, 1861.

Which,

On motion,

Was referred to the Committee on Finance.

Mr. Wolfe introduced

Senate Joint Resolution No. 9.

On motion by Mr. Newcomb,
 The rules were suspended, and the Senate took up

Senate Joint Resolution No. 9. A joint resolution requiring the Treasurer of State to issue circulars, calling on the several county treasurers of the State to forward to that officer the revenue of the State in their hands,

Which was read, and,

The question being, shall the joint resolution pass?

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Steele, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—42.

Mr. Beeson voted in the negative.

So the Joint Resolution passed.

Mr. Ferguson presented the proceedings and resolutions of a meeting of sundry citizens of Clark county, embodying their views upon the present state of the country,

Which, under the rule, were

Referred to the Committee on Federal Relations.

Mr. Lomax presented a petition from sundry citizens of Orange and Lawrence counties, Indiana, asking compensation for A. H. Miller,

Which was referred to the Committee on Claims.

Mr. Cobb presented the proceedings and resolutions of a meeting of sundry citizens of Lawrence county, expressing their views upon the state of the country,

Which, under the rule, was

Referred to the Committee on Federal Relations.

Mr. Newcomb presented a petition from J. D. Stephenson,

Which,

On motion by Mr. Newcomb,

Was referred to the Committee on Claims, without reading.

Mr. Beeson presented a memorial from the State Board of Agriculture, asking an appropriation of ten thousand dollars, to assist in discharging the indebtedness of the State Board, and otherwise aiding it,

Which was referred to the Committee on Agriculture.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate bill

No. 3, amending section eighteen of an act entitled "an act prescribing the powers and duties of justices of the peace," approved May 29, 1852, have had the same under consideration, and have directed me to report the same back to the Senate, with a recommendation that the same be indefinitely postponed.

The report was concurred in, and Senate bill No. 3, therein contained, was indefinitely postponed.

Mr. Claypool, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The committee on Judiciary, to whom was referred the petition of sundry citizens of the State of Indiana, asking the passage of a law making it obligatory on all persons fined and committed to the county jail for the non-payment of such fine, to pay the same by labor on the public streets or roads, or in such other manner as the wisdom of the Legislature may desire, have had the same under advisement, and have instructed me to report the same back to the Senate, and recommend that it lie on the table, as it is inexpedient to legislate on the subject.

The report was concurred in, and the petition laid upon the table.

Mr. DeHart presented the following report from the Committee on the Judiciary:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred a Senate resolution, instructing said committee to inquire into the expediency of passing a law to prohibit railroad companies from obstructing highways and public streets in towns and cities, by their cars and locomotives, and to report by bill or otherwise, respectfully submit: That said committee have had the matter under consideration, and find no necessity for further legislation in the premises; that section sixty-six of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852 (vide 2 Revised Statutes, 1852, sec. 66) affords an adequate remedy against the obstruction of highways, etc., and that cities and incorporated towns can, through their council and trustees respectively provide against the obstruction of public streets, &c. Wherefore your committee report as aforesaid.

R. P. DEHART.

Mr. Conner, from the Judiciary Committee, made the following report:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 29, being an act to amend section fourteen of an act defining misdemeanors and prescribing punishment therefor, have had the same under consideration and have directed me to report the accompanying amendment, and when so amended they recommend its passage :

Amend by inserting after the word "months," on the third page, the following words, to-wit : "In the county jail, in the discretion of the court or jury trying the same."

The report was concurred in.

The amendment was adopted, and the bill was ordered to be engrossed, and read a third time on to-morrow.

Mr. DeHart, from the Committee on the Judiciary, presented the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred a resolution presented by the Honorable Senator from Jefferson, directing said committee "to inquire and report by bill or otherwise, upon the expediency of so amending the 'act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto,' as to provide for adding to the causes therein specified, for which parties shall be entitled to divorce, *idiocy* and *hopeless insanity*, and of requiring the party obtaining divorce on such ground to give bond for the support and maintenance where the same may be required of the parties so divorced," direct me to report that it would be inexpedient to make the amendment indicated in said resolution.

R. P. DEHART.

Which was concurred in.

Mr. DeHart, from the Committee on the Judiciary, presented the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate resolution presented by Mr. O'Brien, requesting said committee "to inquire into the expediency of the enactment of a law conferring on

boards of county commissioners the power to discharge persons who may be imprisoned in county jails for failure to pay or replevy fines and costs assessed against them from such imprisonment, on account of the insolvency of such persons," have considered the same, and direct me to report that it would be inexpedient to enact such a law.

Which was concurred in.

Mr. Cobb, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred a petition signed by numerous persons residing in Brownstown, Indiana, praying "that a law be passed authorizing the county treasurers to retain the distributive share to which each county will be entitled in their March settlement with the Treasurer of State," have had the same under consideration and have directed me to report the same back to the Senate, and recommend that it be referred to the Committee on Education.

Which was concurred in, and the petition therein contained was referred to the Committee on Education.

Mr. Craven, from the Committee on the Judiciary, presented the following report:

MR. PRESIDENT:

The committee to whom was referred Senate bill No. 54, a bill entitled "an act regulating docket fees in the Court of Common Pleas, and providing for the payment of a salary to district attorneys," have had the same under consideration, and have recommended me to report the same back to the Senate with instruction, that all after the enacting clause, except the last section, be stricken out, and that the following be substituted:

That the docket fee of district attorneys in the Court of Common Pleas shall be as follows, to wit:

On each conviction of felony on plea of not guilty, ten dollars; on each plea of guilty, five dollars; on each conviction for misdemeanor on plea of not guilty, five dollars; on each plea of guilty, two dollars and fifty cents; on each conviction for misdemeanor on plea of not guilty before a justice of the peace, three dollars; and on plea of guilty, one dollar; to be taxed up with costs against the

defendant, and collected as other costs. But in each case of conviction of felony, should the defendant be found insolvent and unable to pay costs, then, in that event, the district attorneys' fees to be paid out of the county treasury of the county where the offence was committed.

SECTION 3. Prosecuting and district attorneys shall be allowed five dollars on each forfeited recognizance, and five per cent. in addition thereto on the amount collected, which docket fee and per cent. shall be paid out of the money collected on such forfeited recognizance, and not otherwise.

And when so amended, recommend its passage.

And said committee recommend that the title to said act be amended to read as follows, to wit:

An act regulating docket fees of district attorneys in the Courts of Common Pleas, and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecution in forfeited recognizances,

Which was concurred in.

The amendment was adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Committee on Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate resolution directing an inquiry into the expediency of requiring county treasurers to visit the several townships of their respective counties on the 9th of January, instead of the time now required by law, have had the same under consideration, and directed me to report the same back and recommend that it lie on the table, and that it is inexpedient to make the change in the law contemplated in the resolution,

Which was concurred in by the Senate.

Mr. Conner, from the Judiciary Committee, presented the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred the petition of Johnson Wheeler and others, citizens of Lake county, in relation to
S. J.—13.

trespasses committed upon lands, have had the same under consideration, and have directed me to report that the Committee are sensible of the evils so fully set forth in said petition, but the Committee are of the opinion that Senate bill No. 29, upon the same subject, which has been reported by said committee to the Senate, contains all the legislation upon that subject which is deemed expedient. The committee, therefore, direct me to report said petition back to the Senate with the recommendation that the same be laid upon the table,
Which was concurred in.

On motion by Mr. Shields,

Resolved, That the Committee on Finance be instructed to report to the Senate a bill making such amendments to the present law, as will compel county treasurers, under sufficient penalty, to pay over to the State Treasurer on the first days of December, January, February and March, all revenue collected for the State, remitting the same by express companies, when it can be sent by such companies.

Mr. Landers presented the following concurrent resolution :

WHEREAS, his excellency, the Governor, has transmitted to the Senate joint resolutions adopted by the Legislature of Virginia inviting a meeting of Commissioners of the several States of the Union, to convene in Washington city, on the fourth day of February next ensuing, to consider the state of the Union, and, whereas, the crisis in public affairs requires the prompt action of the true friends of the Federal Union, to the end that the progress of disunion may be stayed, the terrible evils of civil war be averted, and means adopted to restore the feelings of amity and confidence between the people of every section of our country, as the surest guarantee of continued peace and union; therefore,

Resolved, (the House of Representatives concurring,) That the two Houses of the General Assembly, in joint convention, will, on Wednesday next, (the 30th instant) at 2½ o'clock, P. M., choose five citizens as Commissioners, to represent this State in said conference,

Which, under the rule,

Was referred to the Committee on Federal Relations.

On motion by Mr. Beeson,

Resolved, That the Treasurer of State be requested to report to the Senate at an early day, whether the revenues of the State have been collected, kept and disbursed according to sections two, five, six, seven, eight and sixteen of an act to provide a treasury system for the State of Indiana, passed March 1, 1859.

Mr. Wolfe introduced

Senate Joint Resolution No. 10. A joint resolution providing for the appointment of commissioners to a Border State Convention,
Which was read.

Mr. Jones moved to reconsider the vote taken at the beginning of the session, referring all matters upon the state of the Union and National affairs to the Committee on Federal Relations,

Pending the consideration of which,

On motion by Mr. Anthony,

The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
January 29, 1861. }

The Senate met.

The Journal of the preceding day was read.

Mr. Mellett, from the Committee on the Judiciary, presented the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 45. A bill to amend section three of an act entitled "an act to provide for the election of a reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred a resolu-

tion of inquiry, introduced by Mr. Wilson, as to the expediency of so amending the law as to make recognizances of sureties a lien on their real estate, have had the same under consideration, and have directed me to report: That in the opinion of said committee, such legislation would be inexpedient,

Which was concurred in.

Mr. March, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom was referred Senate bill No. 44, entitled "an act to make the register, catalogue and description of lands in the land offices of the United States, evidence in certain cases," have had the same under consideration, and directed me to report the same back with the following amendment, and when so amended, to recommend its passage:

First. Strike out all of the first section after the enacting clause, and insert the following: That the register, catalogue, tract book, plat book, and description of lands kept at any land office of the United States, located in this State, or at any office for the sale of canal or Michigan road lands, and copies thereof duly certified, as true and complete, by their proper keeper, and copies duly certified by the Auditor of State, as true and complete copies, from said original document, or from copies of the same, legally deposited in the office of said Auditor of State, shall be admissible in evidence in civil actions in all the courts of this State, and shall be taken and held as prima facie evidence of the truth of their contents. Strike out the title of the bill, and insert the following: An act to make the register, catalogue, tract book, plat book, and description of lands, kept in the land offices of the United States, and in the canal and Michigan road land offices, and copies thereof, prima facie evidence of the truth of their contents.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Teegarden offered the following preamble and resolution:

WHEREAS, There are now confined in jails and poor houses throughout the State not less than five hundred insane and epileptic persons, who are refused admission and treatment in the Hospital for the Insane, owing to the crowded condition of the Institution; and whereas, this class of our citizens should receive our sympathies and protection, therefore, be it

Resolved, That the Committee on the Benevolent Institutions inquire into the propriety and practicability of enlarging the Hospital,

so as to make room for this class of patients, and report by bill or otherwise.

Which was agreed to.

On motion by Mr. Murray,

Resolved, That the Committee on Banks be instructed to ascertain by actual inspection, whether the bonds held as security for the circulation of the free banks are in the hands of the State Treasurer.

On motion by Mr. Wilson,

Resolved, That the Committee on the Judiciary inquire into the expediency of reporting a bill authorizing county auditors to sue and collect, in the name of the board of county commissioners, all moneys that may have been advanced, and paid out by the county treasurer, under and according to the sixth section of an act to provide for the confinement of insane persons, &c., approved February 21, 1855, where the property of such insane persons exceeds the sum of five hundred dollars.

Mr. Ray introduced

Senate Joint Resolution No. 11. A joint resolution appointing Commissioners to a Border State Convention,
Which was read, and, under the rule,

Referred to the Committee on Federal Relations.

Mr. Williams gave notice that on to-morrow, in accordance with standing rule of the Senate No. 48, he should move to rescind the rule adopted by the Senate requiring all matters pertaining to national affairs, to be referred to the Committee on Federal Relations.

BILLS INTRODUCED.

Mr. Odell introduced

Senate bill No. 89. A bill to establish Probate Courts in the several counties of the State, and defining the jurisdiction and duties of, and providing compensation for the judges thereof.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Miller introduced

Senate bill No. 90. A bill declaratory of the meaning of the words "final judgments," as used in section five hundred and fifty, article twenty-seven, chapter first, of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity, approved June 18, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. O'Brien introduced

Senate bill No. 91. A bill to amend the fourth section of an act entitled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1852; and supplemental to said act, providing a penalty for the violation of said act as amended, by any judge of Court of Common Pleas in this State.

Which was read a first time and passed to a second reading on tomorrow.

On motion by Mr. Steele,

The report of the President of the Bank of the State of Indiana, laid before the Senate by the President on yesterday, was taken from the files, and

Was referred to the Committee on Banks.

The Senate having resumed the Order of the Day, being the Minority Report from the Committee on Federal Relations, Senators Conley and Claypool addressed the Senate upon the subject-matter pending.

Mr. Murray offered the following amendment to the minority report from the Committee on Federal Relations:

WHEREAS, The Democratic party, with a "ruthless hand," repealed the time-honored compromise of 1822—a compromise which the Hon. Stephen A. Douglas declared was "canonized in the hearts of the American People"—thereby renewing the agitation of the slavery question, in violation of the Democratic Platform of 1852, creating strife and bloodshed in Kansas, and threatens to involve our beloved country in civil war and ruin; therefore,

Resolved, That we hold the Democratic party responsible for all the evils that have, or are likely to flow from the repeal of the Mis-

souri Compromise, and that their persistent efforts, by that repeal, to extend the evils of slavery over free territory, impels them now to insist on an amendment to the Constitution to override the clearly, constitutionally expressed will of the people against the further extension of slavery.

Which, under the rule, was referred to the Committee on Federal Relations.

A message from the House, by Mr. Nealy, an assistant clerk thereof:

MR. PRESIDENT:

I am directed by the House to bring to the Senate the following House Joint Resolution thereof, for the signature of the President and Secretary of the Senate, to-wit:

House Joint Resolution No. 7. A joint resolution on pensions to soldiers of the war of 1812.

The President and Secretary of the Senate signed the joint resolution.

On motion by Mr. Hamilton,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The Senate resumed the consideration of the minority report from the Committee on Federal Relations, pending at adjournment.

The Senate was addressed by Messrs. Johnston, Miller and Cobb.

Pending the consideration of the minority report,

On motion by Mr. Conley,
The Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
January 30, 1861. }

The Senate met.

The Journal of the preceding day was read.

Mr. Shoemaker, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 13, a bill to amend the fifth section of an act entitled "an act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and repealing all laws conflicting with this act," approved February 18, 1859, have had the same under consideration and direct me to report the same back and recommend its indefinite postponement.

The report was concurred in, and Senate bill No. 13, therein contained, was indefinitely postponed.

Mr. Line, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred a resolution inquiring into the expediency of changing the law in relation to granting marriage license, so that the same shall be issued by county recorders instead of clerks, have had the same under consideration, and have directed me to make the following report:

The resolution does not complain of any inconvenience in obtaining license, but instructs the Committee to inquire why such change might not be made. The committee therefore think such change unnecessary and inexpedient; they therefore ask that the matter be laid on the table, and the committee discharged from the further consideration of the subject.

Which was concurred in.

Mr. Anthony, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred a resolution inquiring into the expediency of substituting salaries for county officers instead of the fees now received, have had the same under consideration, and direct me to report, that, in the opinion of the committee, legislation on the subject of fees is necessary, but that it is inexpedient to legislate as suggested in the said resolution, and recommend that the whole subject be referred to the Committee on the Judiciary,

Which was concurred in.

Mr. Claypool, chairman of the Committee on Phraseology and Arrangement of Bills, made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Senate Bill No. 29, being an act to amend section fourteen of an act entitled "an act defining misdemeanors and prescribing punishment therefor, approved June 14, 1852," have instructed me to report the same back, and request that it be engrossed, requesting the engrossing clerks to be careful in punctuation of this and all other bills.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, chairman of the Committee on Phraseology and Arrangement of Bills, made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Senate bill No. 54, entitled "an act regulating fees in the Court of Common Pleas and providing compensation for district attorneys," with the report of the Judiciary committee on said bill, have examined said bill and report, and find the substitute, as recommended by said Judiciary Committee, to be in clear and proper language, and have instructed me to report the same back to the Senate and ask that it be engrossed.

The report was concurred in, and Senate bill No. 54, therein contained, was ordered to be engrossed and read a third time on to-morrow.

Mr. Line, from a select committee made the following report :

MR. PRESIDENT :

The select committee, to whom was referred a petition of many citizens of Indiana, praying for an alteration of the laws protecting wild game, have had the same under consideration, and have directed me to make the following report :

The petitioners do not ask any change in the laws with respect to penalties ; they only ask a change of time as to when it shall be lawful to kill or not to kill, and there having been a bill presented to the Senate that embraces substantially the principle prayed for in the petition, therefore your committee report back the petition and ask that it lie on the table. All of which is respectfully submitted.

Which was concurred in.

Mr. Anthony moved to suspend the rules and take up the order of the day.

The ayes and noes being demanded by Senators Carnahan and Johnston,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Cobb, Conner, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Landers, March, Mellett, Miller, Robinson, Steele, Stone, Teegarden, Turner, and White—24.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Ferguson, Johnston, Lomax, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Williams, Wilson, and Wolfe—14.

So the rules were suspended, and the Senate resumed the consideration of the Order of the Day, being the minority report from the Committee on Federal Relations.

The Senate was addressed by Messrs. DeHart and Landers on the subject matter pending.

On motion by Mr. Wolfe,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

A message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the Senate Joint Resolution No. 9. A joint resolution requiring the Treasurer of State to issue circulars calling on the several county treasurers of the State to forward to that officer the revenue of the State in their hands.

Mr. March, from the Committee on Phraseology and Arrangement of Bills, made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was submitted for examination and correction, Senate Bill No. 44, have performed that duty, and find the same correct, and herewith return it to the Senate for engrossment.

Mr. Ferguson presented a petition from E. P. Rawlings, asking relief for losses occasioned by the burning of the Hospital of the State Prison south.

Which,

On motion by Mr. Ferguson, was

Referred to the Committee on Claims.

Mr. Murray, from the Committee on County and Township Business, presented the following report:

MR. PRESIDENT—

The Committee on County and Township Business, to which Senate bill No. 61 was referred, have instructed me to report the same back, with a recommendation that it be referred to the Committee on Finance,

Which was concurred in.

Mr. Tarkington offered the following preamble and resolutions:

WHEREAS, Rumor says that many of the railroads of this State have had their real estate re-appraised since the general appraisement of 1859, therefore

Resolved, That the Auditor of State be instructed to report to the Senate what railroads of this State have had their real estate re-appraised since the general appraisement of 1859; what difference is in the appraisement of 1859 per mile, under the second clause of the 6th section of the amended act, approved March 4th, 1859, and that recently made by the auditors of the counties; and by what authority county auditors become appraisers of the real estate of railroads,

Which was agreed to.

Mr. O'Brien presented the proceedings and resolutions of a Union meeting at Aurora, Indiana,

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Bearss offered the following preamble and resolutions:

WHEREAS, It has been announced through the public press and other channels, that the Honorable Abraham Lincoln, President elect of the United States, will pass through the Capital of this State, on his way to the Federal Capital, and visit this General Assembly during his short sojourn here; and whereas, The people of Indiana are desirous of tendering a testimony of their good feeling and respect towards the people of their neighboring State, therefore

Resolved by the Senate, the House of Representatives concurring, That an invitation be extended to the Legislature of Illinois to accompany Mr. Lincoln from Springfield to this city, and to the Legislatures of the States of Ohio and Kentucky to visit this Capital, and this General Assembly, on the occasion of the visit of the President elect.

Resolved, That the Governor, be, and he is hereby, requested to transmit a copy of these resolutions to the Governors of Illinois, Ohio and Kentucky, soliciting them to lay the same before the Legislatures of their respective States,

Which, on motion, was referred to the select committee of invitation to Mr. Lincoln.

On motion by Mr. Ray,

Senate bill No. 72. A bill supplemental to an act entitled "an act

to organize the militia, providing for the appointment, and prescribing the duties of certain officers thereof," approved June 14, 1852, and repealing sections three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty, of said act, and providing for a more perfect organization of the militia, and matters properly connected therewith,

Was taken from the table and referred to the Committee on Military Affairs.

BILLS INTRODUCED.

Mr. Wilson introduced

Senate bill No. 92. A bill to empower Notaries Public to solemnize marriages,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cobb introduced

Senate bill No. 93. A bill to amend section seven of an act entitled "an act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and to make all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5th, 1859, so as to change the time of holding said Courts in Jackson county, and declaring when this act shall take effect.

Which was read a first time and passed to a second reading to-morrow.

Mr. O'Brien introduced

Senate bill No. 94. A bill to provide for the collection of taxes assessed against lands and lots mortgaged to secure loans made of the Sinking Fund, Surplus Revenue Fund, Saline Fund, Seminary Fund, and other public trust fund, to prevent loss of the securities held by said funds, and to repeal the eighth section of chapter six of the Revised Statutes of 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Hamilton introduced

Senate bill No. 95. A bill to provide for the sale and conveyance of property by Sheriffs of counties when judgments are rendered

and executions issued on property owned by corporations lying therein and extending through and being in more than one county, and to enlarge the jurisdiction and powers of Sheriffs, and to provide for the mode of giving the notice of such sale.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Miller introduced

Senate bill No. 96. A bill relating to judgments upon instruments of writing, containing a promise to pay money without relief from valuation or appraisement laws.

Which was read a first time and passed to a second reading on to-morrow.

Mr. March, from the select committee of Invitation appointed to correspond with the Honorable Abraham Lincoln, President-Elect of the United States, requesting him to visit the Capital and Legislature of Indiana, made the following report :

MR. PRESIDENT :

Your committee, appointed to invite Mr. Lincoln to visit the Legislature of Indiana, while on his way to Washington, would beg leave to report :

That they met the House Committee, and organized a Joint Committee by electing Gen. George K. Steele, chairman.

The Joint Committee then addressed Mr. Lincoln the following letter :

INDIANAPOLIS, INDIANA, }
January 16, 1861. }

HON. ABRAHAM LINCOLN,
President elect of the United States of America :

DEAR SIR—The undersigned, a committee on the part of the Senate and House of Representatives of the State of Indiana, appointed by a joint resolution of both Houses of the General Assembly, do hereby invite you to pass through our capital on your way to Washington, remain for such time as may suit your convenience, and become a guest of the people of our State; that we may through you exhibit our devotion to the Union and our common country, and in order that the people of Indiana, through their Senators and Representatives, may show their respect for the Chief Magistrate elect, their determination to stand by the Union and Constitution, and to support the Executive in the discharge of all his constitutional obligations.

Should you see fit to accept this invitation, will you please signify

when and where this committee shall meet you near the boundary line of our State, for the purpose of escorting you to the capital?

Hoping that you may favorably consider our request, we are, with the highest respect,

Your obedient servants,

GEORGE K. STEELE,

WALTER MARCH,

D. C. ANTHONY,

J. D. CONNER,

AARON B. LINE,

ALLEN HAMILTON,

On the part of the Senate.

D. C. BRANHAM,

D. M. JONES,

J. C. VEATCH,

R. A. CAMERON,

J. A. HENRICKS,

J. H. STOTSENBURG,

M. A. O. PACKARD,

On the part of the House.

The committee also appointed Messrs. March, Branham and Cameron, a sub-committee to wait upon Mr. Lincoln in person, and deliver the communication and resolution of the House and Senate.

The committee performed that duty, and received the following communication from Mr. Lincoln:

SPRINGFIELD, ILLINOIS, }
January 28, 1861. }

Messrs. R. A. Cameron, Walter March, and D. C. Branham, Committee:

GENTLEMEN—I have the honor to acknowledge the receipt, by your hands, of a Joint Resolution adopted by the Legislature of the State of Indiana, on the 15th inst, inviting me to visit that Honorable body on my way to the Federal Capital.

Expressing my profound gratitude for this flattering testimonial of their regard and esteem, be pleased to bear to them my acceptance of their kind invitation, and inform them that I will endeavor to visit them in accordance with their expressed desire, on the 12th day of February next.

With feelings of high consideration, I remain

Your obedient servant,

A. LINCOLN.

Your committee recommend that a Committee of Arrangement be raised on the part of the Senate, to act with a like committee on the

part of the House, to make all necessary arrangements for Mr. Lincoln's reception and stay among us.

On motion by Mr. Wagner,
The report was concurred in.

On motion,
The said select Committee of Invitation were also authorized to act as a Committee of Arrangements, to carry out the suggestions of the report, and make suitable arrangements for the reception of the Hon. Abraham Lincoln.

The senate having resumed the consideration of the minority report from the Committee on Federal Relations, the Senate was addressed by Messrs. Landers and Wagner.

On motion by Mr. Murry,
Mr. Anthony was added to the Committee on Military Affairs.

On motion by Mr. Hamilton,
The Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
January 31, 1861. }

The Senate met.

The Journal of the preceding day was read.

Mr. Newcomb, from the Committee on the Judiciary, presented the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 5, a bill to amend section two hundred and thirty-eight of an act entitled "an act to simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of jus-

tice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852, have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and to recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Shoemaker, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred the resolution of Mr. Turner, inquiring into the expediency of a change of the law requiring the transfer of deeds before their record, have had the same under consideration, and have directed me to report that, in the opinion of your committee, legislation on the subject is unnecessary.

Which was concurred in.

Mr. Turner, from the Committee on Phraseology and Arrangement of Bills, made the following report:

MR. PRESIDENT—

The Committee on Phraseology and Arrangement of Bills, to whom was referred Senate bill No. 45, a bill to amend section three of an act entitled "an act to provide for the election of a Reporter and a speedy publication of the Decisions of the Supreme Court, and for the compensation of such Reporter," have examined the same, and direct me to report that they find the phraseology and arrangement is correct.

Mr. Murray offered the following resolution:

Resolved, That the Committee on Education be instructed to inquire into the expediency of reporting an amendment to the School Law requiring township trustees to make annually an equal distribution of surplus school funds (after the close of the winter free schools) among the several school districts of their respective townships, for the purpose of defraying the expenses of summer schools.

Which was agreed to.

Mr. Lomax offered the following resolution:

Resolved, That the Committee on Federal Relations be instructed
S. J.—14.

to report at once a joint resolution providing for the appointment of Commissioners on the part of this State, to meet the Commissioners from other States on the 4th of February next at Washington City, in reference to the resolutions of the General Assembly of the State of Virginia, recently transmitted to this body.

Mr. Mellett, occupying the Chair, decided that the resolution, under the rule, was referred to the Committee on Federal Relations.

Senators Wolfe and Cobb took an appeal from the decision of the Chair upon the following point of order:

The Chair having decided that the resolution of the Senator from Orange, to instruct the Committee on Federal Relations to report a resolution in favor of appointing commissioners to the Washington convention of the 4th of February, shall go (under the rule) to said committee without action of the Senate, and without debate, from which we appeal.

SIMEON K. WOLFE,
THOMAS R. COBB.

Mr. Murray moved to lay the appeal on the table.

The ayes and noes having been demanded by Senators Conley and Wolfe,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Williams, Wilson and Wolfe—19.

So the appeal was laid upon the table.

On motion by Mr. Beeson,

Resolved, That the Treasurer of State be requested to report to the Senate at an early day, what is the condition of the \$104,052 37 of the suspended debt, from whom due, whether solvent or otherwise; and also, what is the condition of the \$160,000 00 in the hands of the State Agent, and by what law the same was placed in his hands.

BILLS INTRODUCED.

By unanimous consent, Mr. Conner introduced

Senate bill No. 97. A bill to amend section twenty-one of an act to fix the time of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process, from the present common pleas courts, returnable to such terms; and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, and declaring when this act shall take effect,

Which was read a first time.

Mr. Conner moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those voting in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—44.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second time by its title.

Mr. Conner moved to consider the bill as engrossed and read a third time now,

Which was agreed to.

The bill having been read a third time,

The question being, Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien,

Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—44.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cobb offered the following resolution:

Resolved, That the members of the Committee on Federal Relations be, and they are hereby, excused from serving in the Senate, until they can have time to consider the matters heretofore referred to said committee.

Mr. Murray moved to lay the resolution on the table.

The ayes and noes having been demanded by Senators Landers and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, March, Mellett, Murray, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Turner and White—28.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Johnston, Landers, Line Lomax, O'Brien, Ray, Shields, Shomaker, Shoulders, Tarkington, Williams, Wilson and Wolfe—16.

So the resolution was laid upon the table.

On motion by Mr. Cravens,

Resolved, That the Committee on Education inquire into the expediency of providing by law that the interest hereafter received on the loans of the sinking fund, so far as is not needed for paying the interest on the outstanding Bank bonds of the State, or for the purchase of such bonds, be annually distributed by the commissioners of the sinking fund, under the supervision of the Superintendent of Public Instruction, to the treasurers of the several counties, for the use of the common schools therein, conformably with the provisions by law for apportioning and distributing the amount of taxes collected for school puposes, and for repealing so much of the law, approved

March 1, 1859, and for the investment, distribution and safe keeping of said fund, as requires any of said fund, except the principal of its loans repaid, to be distributed to the counties to be loaned on mortgages.

Mr. Tarkington offered the following resolution :

Resolved, That the sessions of this Senate shall commence each day at 9 o'clock, A. M., and that but one session per day shall be held unless, the Senate otherwise determine,

Which, under the rule was laid upon the table until to-morrow.

Mr. Blair offered the following resolution :

Resolved, That during the remainder of this session, the daily order of transacting business shall be as follows :

Resolved, That, during the remainder of this session, the daily order of transacting business shall be as follows :

First. Reading and correcting Journal of preceding day.

Second. Introduction of petitions, memorials and remonstrances.

Third. Reports from Standing Committees.

Fourth. Reports from Select Committees.

Fifth. Orders of the day.

Sixth. Introduction of Bills.

Seventh. Resolutions of the Senate.

Eighth. Joint Resolutions.

Which, under the rule, was laid upon the table until to-morrow.

Mr. Craven, from a select committee, presented the following report :

MR. PRESIDENT :

The select committee, to whom the Senate bill No. 74 was referred, have had the same under consideration, and have directed me to report the same back with instructions to "strike out all after the word namely in the first section ; also, to strike out the second section, and in lieu of so much of said bill thus struck out, to insert the following," and, when so amended, to recommend its passage :

In the county of Hancock, on the second Monday in February and August in each year, and shall sit, if the business thereof require it, till the close of the weeks immediately preceding the first Mondays in March and September of each year; in the county of Hamilton, the first Monday in March and September in each year, and may sit for two weeks; in the county of Tipton, the third Mondays in March and September in each year, and may sit for two weeks; in the county of Madison, the fifth Mondays in March and September in each year when there shall be that number of Mondays in said months, when less Mondays than five, shall sit the first Monday of April and October each year, and may sit for three weeks; in the county of Delaware, the Mondays immediately following the adjournment of the Madison Circuit Court, and may sit for three weeks; in the county of Howard, the Mondays in May and November in each year immediately following the adjournment of the Delaware Circuit Court, and may sit for two weeks; and in the county of Blackford on the first Mondays in June and December in each year, and may sit for one week.

The report was concurred in and the amendments adopted.

Mr. Craven moved to consider the bill as engrossed, and read it a third time now,

Which was agreed to.

The bill was read a third time, the question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, White, Williams, Wilson, and Wolfe—44.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Culver, from the Committee on County and Township Business, presented the following report:

MR. PRESIDENT:

I am directed by the Committee on County and Town Business, to

report back Senate bill No. 53, and recommend that it lie upon the table.

Which was concurred in.

On motion by Mr. Steele,

The Order of Business was suspended, and the Senate took up the following message of the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has reconsidered the vote by which it concurred in the Senate joint resolution No. 9, directing the Treasurer of State to send circulars to the county treasurers, requesting them to pay into the State Treasury all moneys in their possession belonging to the State, and request of the Senate the return to the House of said Senate joint resolution.

Mr. Anthony moved that the Senate comply with the request of the House, expressed in the message, by returning Senate joint resolution No. 9, to the House.

Which was agreed to.

On motion by Mr. Turner,
The Senate adjourned.

2 O'CLOCK P. M.

The Senate met.

The President laid before the Senate the following communication:

INDIANAPOLIS, January 21, 1861.

HON. J. R. CRAVENS,

President of the Senate:

SIR—Will you please place the accompanying Report before the Senate, and oblige

Yours truly,

S. C. WILSON.

To the Senate of the State of Indiana:

In compliance with the resolution of your Honorable Body, adopted on the 24th inst., "requesting a report to the Senate of the present condition of the University Fund, what losses, if any have occurred," &c., &c.

I beg leave to report, that the condition of the University Fund in general, will be found in the report of the Auditor of State to the present Legislature for the fiscal year ending October 31, 1860.

I am informed that the Fund is suffering loss by the borrowers of the funds neglecting to pay their interest punctually.

The Senators are aware that the salaries of the Professors are paid out of the interest of the Fund, and if the interest is not paid punctually, the Institution will necessarily be crippled in its operation, and the Professors' salaries for the time being remain unpaid, which works very great inconvenience, if not loss to them.

The University is now in a flourishing and prosperous condition, and it would be a calamity to lose the services of any of the able and efficient Faculty for the want of funds to pay promptly to them their salaries.

I am informed that such is the condition of the Fund at the present time that the Treasurer is in no way prepared to liquidate the debts due them for services. It is for the Legislature to remedy this evil.

I learn from the Deputy Auditor that at the last sale of mortgaged premises (for money borrowed of this Fund,) for the non-payment of interest, in several instances persons bid the amount due the Fund, costs, &c., and the premises were struck off to them; and that is the last he has heard of the bidders. They have not come forward to pay their bids or claim the land.

Legislation is necessary to enable the Auditor to pursue his remedy against such bidders; and if they do not immediately come forward and pay their bids, that the Auditor may not only pursue the bidder, but may also re-offer for sale the premises.

The more immediate object of the passage of the resolution by the Senate, I have no doubt, was to obtain information in relation to some recent transactions I have had with the commissioners of the reserved townships of land in Monroe and Gibson counties.

I went, about the first of this month, to examine the books of John M. Berry, Esq., Commissioner in Monroe county. I found, from his books, that he had failed to report to the Auditor of State since 1855, (it was his duty to have reported quarterly); that he had used all the money he had collected since October 1855, amounting to some twenty-four hundred dollars, which would, up to this time, with its interest, amount to over \$3,000.

I found Mr. Berry willing APPARENTLY to settle, and to secure the amount so used by him. I did not feel authorized to make any final arrangement or settlement of so large a defalcation without conferring with the Auditor of State, and of ascertaining who were the securi-

ties of Mr. Berry. The Auditor, upon examining his office for Mr. Berry's bonds, could find none. If any bond had ever been given, it was lost. I found that the only person responsible for the money was the Commissioner. I returned again to Bloomington, to secure, if possible, the Fund from loss. Mr. Berry I found in a very different temper from what he was when I left him. He was advised of the fact that no bond could be found. He was, therefore, in a position to dictate instead of asking terms. I concluded that the interests of the University would be best promoted by a prompt adjustment of the matter upon such terms as I could get. I therefore received of him in payment of the debt a deed, in the name of the State, for the use of the University Fund, for a town lot in Bloomington, worth, from information, from \$200 to \$300; also a conveyance for three hundred and sixty acres of land in Story, Warren and Ringgold counties, Iowa, and executed to him a full discharge. It will be necessary and proper that the Legislature ratify the settlement and appoint some person or persons to make sale of this property. The land in Iowa ought not in my judgment to be put into the market in the present depressed state of the money market. It will, if held from sale till the proper time, pay all or nearly all of the debt. These lands, I am informed, are well selected and in good locations.

Mr. William Kurtz, the acting Commissioner in Gibson county, was commissioned, I believe, in 1852, by Governor Wright. He never qualified or gave bond. He has not reported since 1856. He is in arrears to the amount of \$400, which he promises to pay over in a few days.

The predecessor of Mr. Kurtz, M. J. Smith, who deceased some six or eight years since, was, I have no doubt, at the time of his death, indebted to the Fund, but to what amount I cannot state. His books are not posted, and have been kept in such a manner as will, perhaps, render it impossible to arrive at any accurate settlement. Accuracy may, however, be approximated. If the Auditor of State is not already authorized by law to make the settlement with Mr. Smith's administrator, he or some other person should be empowered without delay by the present Legislature to make the settlement. Mr. Smith's estate, I understand, is solvent, and the administrator ready and anxious to make the settlement, that he may close up the estate. I would respectfully call the attention of the Senate to the fact that the University has hitherto been one *in name only*; it has not yet become what the founders of our government intended—*a University in fact*. In order to put it on a proper basis as a University, the Legislature should provide for the support of an Agricultural and Medical Department. If the Legislature would give to the University the control of the University Square in the city of Indianapolis (which I have no doubt was the original intention), and make *not a large appropriation*, the Board of Trustees, with the assistance of the liberal people of this city, might put into operation the Agricultural and Medical Departments by the erection of suitable buildings on this Square.

Another matter I would call the particular of the Senate to. It is

this: The late Dr. David Dale Owen's very choice and valuable cabinet is soon to be sold. I would most earnestly recommend the making of an appropriation which will enable the University to purchase a portion, at least, if not all of this valuable collection; and if an appropriation is made, that our Professor, Wylie, of the University, be appointed to expend the appropriation. In the act of the Legislature of 1859, authorizing the sale of the lands donated by the General Government of the State for the use of the University, it was no doubt the intention of the Legislature to place in the hands of the Board of Trustees a sum sufficient to discharge the indebtedness of the University, and also enable them to purchase a chemical and philosophical apparatus, and a nucleus, at least, of a Library. By reference to the twenty-third section of said act you will see that the Auditor of State is directed to pay over to the Treasurer of the Board of Trustees an amount equal to the interest that had been loaned out as principal, as shown by the Auditor's Report to the General Assembly at their session of 1851 and 1852. I have examined the Auditor's Report to the Legislature of that year; but do not find any statement of the amount of interest that had been loaned out as principal. But in a Report made to the Senate that session on call, I find it inferentially stated that some \$22,000 of interest was loaned out as principal; and I suppose it was this Report that the Legislature had in view when the above-named section was framed; to remove all difficulty, and make the matter plain, I suggest that said section be so amended as to authorize the Auditor to pay over to the Treasurer of the Board some certain sum out of the first money from the principal, derived by him from the sale of said lands. The sum of \$30,000 will not be too much, as it will take some \$23,000 to relieve the University of debt, which will leave of the \$30,000 a very meagre sum for the accomplishment of the other objects contemplated by said section, and the want of which is daily felt by both Faculty and students. In relation to the sale of lands authorized by said act, I would report that I was appointed by the Board to have the lands appraised, which I did; and also to attend the sales. I have not the aggregate appraisement at hand; but my recollection is that it is upwards of \$70,000. Of such as sold at the public sales, many tracts brought prices greatly in excess of their appraised value. I once made an estimate, and my recollection is that the conclusion was, that if you legislators would allow us to use, say \$30,000, we would, from the avails of these lands, still leave, from funding an interest, \$50,000, which, with the \$80,538 that is now on interest, it would, to sell the land, enable us to sustain the additional Department of Agriculture, which I consider all important to the youth of the State. Another very important branch of education might, with a small outlay of money, be carried forward in the University, which would make the Common School Fund much more useful and efficient to the present and future generations of the youth of our State: I allude to a Normal School, which should be exclusively devoted to the education and preparation of Common School Teachers.

It is a fact well known to all of us, that a large amount of our Common School Fund is worse than thrown away in paying ignorant and incompetent teachers, who learn our children what they must sooner or later unlearn. I cannot close this communication without saying to Senators, and through you to the people of the State, that we have a Faculty of whom we may all feel proud, and without any disparagement to other similar institutions, or of other educators, I can safely say that ours have not their superiors in the country, that we have an institution worthy of the fostering care of the Legislature and of the patronage of the people of the State, all of which is respectfully submitted.

S. C. WILLSON,
President Board of Trustees of the State University.

Which,

On motion by Mr. Tarkington,

Was laid upon the table, and one hundred copies ordered to be printed for the use of the Senate.

On motion by Mr. Conner,

A call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names:

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—46.

On motion by Mr. Conner,

A further call of the Senate was dispensed with.

On motion by Mr. Conner,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following preamble and joint resolutions:

House joint resolution No. 29. A joint resolution authorizing the

Governor to appoint Commissioners to meet those sent by other States in Convention, to consider the state of the Union.

In which the concurrence of the Senate is respectfully requested.

House joint resolution No. 29, contained in the foregoing message, was read.

Mr. Cobb offered the following amendment thereto :

Amend by striking out all that relates to the appointment of the Commissioners by the Governor, and insert in the proper place the names of Thomas A. Hendricks, Cyrus L. Dunham, Henry S. Lane, Caleb B. Smith, and William T. Otto, as such Commissioners.

Mr. Anthony moved to lay the amendment on the table.

The ayes and noes having been demanded by Senators Conley and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Turner and White—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones Landers, Line, Lomax, O'Brien, Ray, Shields, Shoemaker, Shoulders, Tarkington, Williams, Wilson and Wolfe—18.

Senator Hamilton declining to vote, having paired off with Senator Wagner.

So the amendment was laid upon the table.

Mr. Wolfe offered the following amendment:

Amend by striking out all that part of said resolutions which limits or trammels the action of the compromises, and which permits them to act only in the event that nineteen States shall be represented in said convention; and all that part in regard to a basis of their action; and further, by inserting after the words "that the Governor of this State," these words: "by and with the advice and consent of the Senate."

Mr. Murray moved to lay the amendment on the table.

The ayes and noes having been demanded by Senators Carnahan and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Williams, Wilson and Wolfe—19.

Mr. Hamilton was present, but declined voting, having paired off with Mr. Wagner of Warren.

So the amendment was laid upon the table.

Mr. Ray offered the following amendment:

Resolved, That the proposition lately submitted by the Hon. John J. Crittenden to the Senate of the United States constitutes a fair basis for the action of said commissioners in the adjustment of our national troubles.

Mr. Blair moved to lay the amendment on the table.

The ayes and noes having been demanded by Senators Conley and Carnahan,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Williams, Wilson and Wolfe—19.

Mr. Hamilton was present, but declined voting, having paired off with Mr. Wagner of Warren.

So the amendment was laid upon the table.

Mr. Williams offered the following amendment:

Strike out "nineteen" wherever it occurs.

Mr. Mellett moved to lay the amendment upon the table.

The ayes and noes having been demanded by Senators Williams and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Tarkington, Williams, Wilson and Wolfe—19.

Mr. Hamilton was present, but declined voting, having paired off with the Senator from Warren.

So the amendment was laid upon the table.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Tarkington, Teegarden, White, Williams, Wilson and Wolfe—43.

Those who voted in the negative were,

Messrs. Campbell, Dickinson and Turner—3.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Murray,
The Senate adjourned.

FRIDAY MORNING, 9 o'CLOCK, }
February 1, 1861.

The Senate met.

The Journal of the preceding day was read.

On motion by Mr. Conner,
The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the Senate bill No. 97, with the engrossed amendments of the House:

A bill to amend section twenty-one of "an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, and declaring when this act shall take effect.

Engrossed amendments of the House to Senate bill No. 97:

SEC. 2. All writs, subpoenas, venires, rules, orders of court, recognizances, publications and process whatever, which may have issued from the Wabash Court of Common Pleas, shall be deemed and taken to be, and are hereby made returnable on the first day of the February term of the said Wabash Court of Common Pleas, to be holden in virtue of this act.

Mr. Conner moved that the Senate concur in the engrossed amendments of the House to Senate bill No. 97, contained in the foregoing message.

Which was agreed to.

Ordered, That the Secretary inform the House thereof.

Mr. Jones presented the proceedings and resolutions of a meeting of the citizens of Bartholomew county, expressive of the sense of the meeting on the state of the Union.

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Cravens presented a petition from sundry citizens of Indiana, asking an amendment to the existing laws, so as to enable creditors to sue, at their option, in the township where the debtors reside, or in the township where the debt is contracted.

Which,

On motion,

Was referred to the Committee on the Judiciary.

Mr. Anthony presented a petition from sundry citizens of Clark county, Indiana, asking the repeal of all laws regulating the State Prison, and Pilots at the Falls.

Which,

On motion by Mr. Anthony,

Was referred (without reading,) to the Committee on State Prisons.

Mr. Hull presented a petition from sundry citizens of Indiana, asking the enactment of a law to protect them against losses by the killing of stock by railroads.

Which,

On motion,

Was referred to the Committee on Corporations.

Mr. Claypool, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred Senate bill No. 86, being "an act to amend the fourth, sixth and seventh sections of an act to amend an act to authorize and regulate the business of general banking," passed March 3, 1855, have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments, and when so amended to recommend its passage:

Amend by amending section three of said act, which reads as follows:

"SEC. 3. Nothing herein contained shall be so construed as to pre-

vent any banking association from procuring their own plates, dies, and other materials for engraving and printing blank notes, and furnishing them to the Auditor," so as to read as follows:

SEC. 3. Nothing herein contained shall be so construed as to prevent any banking association from procuring through the Auditor of State, their own plates, dies, and other materials for engraving and printing blank bank notes, provided that said plates, dies, and other materials shall never pass into the possession of any such banking association, but shall be, and remain, in the possession, and under the control of the Treasurer of State.

To amend section four by striking out the word "fifth" where the same occurs in said section, and insert in lieu thereof the word "sixth."

Amend section six by adding thereto the following:

"And provided, further, that said Auditor shall, upon the application of any such bank or association, exchange any bonds or stocks, other than the State of Indiana, held by such bank or association, for the stocks or bonds of the State of Indiana."

And amend section six further, by inserting the words "and five," in line seven of said section, between the words "hundred" and "dollars."

Amend section seven by adding at the conclusion of said section the following:

"And provided, further, that nothing herein shall effect any banking association now doing business under the provisions of this act, prior to the first day of January, 1863."

And, to further amend said act, by amending section forty-nine of said act, which reads as follows:

"SEC. 49. Whenever, in the opinion of the Governor, Treasurer, Secretary and Auditor of State, or a majority of them, any of the banks or banking associations, acting under the general banking law of this State, have violated the condition of sections twenty-seven or thirty of this act, such fact shall be forthwith conveyed to the said Auditor, who shall immediately proceed to give public notice thereof, in two newspapers printed and published in the city of New York, and in two printed and published in the city of Indianapolis, stating in substance that such bank or banking association has failed to comply with the laws of this State, regulating general banking, and that the bonds or stock transferred or deposited in the office of the Treasurer of State by such bank or banking association, will be, within
S. J.—15.

twenty days from the date of the first publication as aforesaid, sold in the city of New York, specifying the precise place, at public auction, by said Auditor, or his agent; and said Auditor, in compliance with said notice, shall sell said stock, or bonds, and with the proceeds arising therefrom, redeem the outstanding issues of said bank or banking association, in proportion that the proceeds bear to the said outstanding issues; provided, however, that the place of doing business of any bank henceforth (heretofore) established, may, within six months after the passage of this act, be changed to some other place of greater commercial importance, to be approved by the Governor and Secretary of State, a certificate whereof shall be filed in the office of the Auditor of State, after which the circulating notes of such bank, shall be deemed to be payable at the place designated therein," be and the same is hereby amended, so as to read as follows:

SEC. 49. Whenever, in the opinion of the Governor, Treasurer, Secretary, and Auditor of State, or a majority of them, any of the banks or banking associations, acting under the general banking law of this State, have violated the condition of sections twenty-seven or thirty of this act, such fact shall forthwith be conveyed to the said Auditor, who shall immediately proceed to give public notice thereof, in two newspapers, printed and published in the city of New York, and in two printed and published in the city of Indianapolis, stating in substance, that such bank or banking association has failed to comply with the laws of this State, regulating general banking, and that the bonds or stocks transferred or deposited in the office of the Treasurer of State, by such bank or banking Association, has failed to comply with the laws of this State, regulating general banking, and that the bonds or stocks transferred or deposited in the office of the Treasurer of State by such bank or banking association, will be, within twenty days from the date of the first publication as aforesaid sold in the city of New York, specifying the precise place, at public auction, by said Auditor or his agent; and said Auditor, in compliance with said notice, shall sell said stock or bonds, and with the proceeds arising therefrom, redeem the outstanding issues of said bank or banking association, in proportion that the proceeds bear to the said outstanding issues; and shall issue and deliver to the persons or corporations surrendering the issues of any such association, a certificate of the amount of the notes or bills so surrendered, and the denomination thereof, stating the amount paid by said Auditor, and the balance due thereon from such bank or association to the persons or corporations so surrendering the issues as aforesaid; which said certificate shall be *prima facie* evidence of the facts therein stated in any action against any such banking association or any stockholder or stockholders thereof; and an action may be maintained on said certificate for the balance due as therein stated, under and by virtue of the provisions of this act; and provided, further, that the Auditor of State shall, in the presence of the Treasurer of State, when the

issues of any such banking association shall be surrendered to said Auditor by virtue of the provisions of this act, burn and destroy said issues, notes or bills, and said Auditor and Treasurer shall sign a certificate, specifying the number and denomination of such bills, notes or issues so burned and destroyed, and deliver the same to such bank or association, upon application therefor, by such bank or association; provided, however, that the place of doing business of any bank heretofore established, may, within six months after the passage of this act, be changed to some other place of greater commercial importance, to be approved by the Governor and Secretary of State, a certificate whereof shall be filed in the office of the Auditor of State, after which the circulating notes of such bank shall be deemed to be payable at the place designated therein.

And to amend the title of the act so as to have the same read,

“An act to amend the third, fourth, sixth, seventh and forty-ninth sections of the act entitled ‘an act to authorize and regulate the business of general banking,’ passed March 3, 1855.”

Mr. Tarkington moved to concur in the report, with an amendment to strike out so much of the report as proposes to insert the words: “and five” in section six of the bill now pending before the Senate, so as to leave that section as it was in the bill.

Mr. Slack moved to lay the bill and pending amendments upon the table, and to print two hundred copies,
Which was not agreed to.

On motion by Mr. Anthony,

The vote upon Mr. Slack’s motion to lay upon the table and print two hundred copies of the bill and pending amendments, was reconsidered.

On motion by Mr. Slack,

The bill and pending amendments were laid upon the table, and two hundred copies thereof ordered to be printed for the use of the Senate.

On motion by Mr. Blair,

The following resolution, the consideration of which, in accordance with Standing Rule No. 48, had been deferred until to-day, was taken from the files:

Resolved, That during the remainder of this session, the daily order of transacting business shall be as follows:

First. Reading and correcting Journal of the preceding day.

Second. Introduction of Petitions, Memorials and Remonstrances.

Third. Reports of Standing Committees.

Fourth. Reports from Select Committees.

Fifth. Orders of the Day.

Sixth. Introduction of Bills.

Seventh. Resolutions of the Senate.

Eighth. Joint Resolutions.

The question being, shall the resolution be adopted?
It was agreed to.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 77, entitled "an act to limit jurisdiction in civil actions to the county or township where one of the parties immediately liable to judgment and execution resides," have had the same under consideration, and instructed me to report the same back, and recommend its passage with the following amendment: Strike out all after the enacting clause, and insert the following:

That the thirty-third section of the act, the title whereof is above recited, and which is in the words following, viz:

SEC. 33. In all other cases the action shall be commenced in the county where the defendants, or one of them, has his usual place of residence, when there are several defendants residing in different counties, the action may be brought in any county where either defendant resides, and a separate summons may be issued to any other county where the other defendants may be found; and in cases of non-residents, or persons having no permanent residence in the State, action may be commenced and process served in any county where they may be found, be, and the same is hereby, amended so as to read as follows, to-wit:

SEC. 33. In all other cases the action shall be commenced in the county where the defendants, or one of them, has his usual place of residence. When there are several defendants residing in different

counties, the action may be brought in any county where either defendant resides, and a separate summons may be issued to any other county where the other defendants may be found; and in cases of non-residents, or persons having no permanent residence in the State, action may be commenced, and process served in any county where they may be found. But any action brought by the assignee of a claim arising out of contract, whether assigned in writing or by delivery, shall be commenced in the county where one or more of the parties immediately liable to judgment and execution, resides, and not elsewhere.

SEC. 2. It is hereby declared that an emergency exists for the immediate taking effect of this act, and the same shall take effect and be in force from and after its passage and publication.

Amend, further, by striking out the title, and insert the following :

An act to amend the thirty-third section of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

The committee have further instructed me to report the accompanying bill embracing the other proposition in the original bill, in order to avoid the objection of a misjoinder of subjects in the same act and recommend that it be read the first time now.

The report was concurred in, the amendments adopted, and

Senate bill No. 98. A bill to amend the thirteenth and fourteenth sections of an act entitled "an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, contained in the foregoing report,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Conley offered the following resolution :

Resolved, That the Doorkeeper be requested to purchase three dollars' worth of postage stamps for each Senator and elective officer of the Senate.

The question being, shall the resolution be adopted?

The ayes and noes being demanded by Senators Line and Beeson,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Campbell, Carnahan, Cobb, Conley, Conner, Culver, DeHart, Dickinson, Grubb, Hamilton, Jones, Line, Murray, O'Brien, Odell, Ray, Slack, Steele, Tarkington, Turner, White, Williams, Wilson—25.

Those who voted in the negative were,

Messrs. Beeson, Blair, Claypool, Craven, Ferguson, Hall, Johnston, Lomax, March, Mellett, Miller, Newcomb, Robinson, Shields, Stone, Teegarden, Wolfe—17.

So the resolution was agreed to.

Mr. Murray offered the following resolution :

Resolved, That the Committee on Finance be, and they are hereby instructed, by actual examination of the books and papers of the proper officers of this State, to ascertain the actual indebtedness of the State, what particular public funds, together with their amounts, have been diverted from their legitimate purpose, and by the authority of what State officers said funds, if any, have been so diverted, and that in every case where different classes of public funds have been used for other purposes than that contemplated by the law creating such public funds. Said committee shall report a bill providing for the reinstatement of all such funds to their original purposes.

Which was agreed to.

On motion, by Mr. Tarkington,

The following resolution, the consideration of which had been deferred until to-day, in accordance with Standing Rule No. 48, was taken from the files :

Resolved, That the sessions of this Senate shall commence each day at 9 o'clock, A. M., and that but one session per day shall be held, unless the Senate otherwise determine.

Mr. Bearss offered the following as a substitute :

Resolved, That the session of the Senate be held, each day, between the hours of 9 o'clock, A. M., and 1 o'clock, P. M., except on Saturdays and Mondays; on Saturdays between 9 o'clock and 11 o'clock, A. M., and on Mondays between 2 o'clock and 5 o'clock, P. M.

Mr. Shields moved to lay the substitute to Mr. Tarkington's resolution upon the table,

Which was not agreed to.

The question being, shall the resolution of Mr. Bearss be adopted?

The ayes and noes being demanded by Messrs Hamilton and Carnahan,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Claypool, Cobb, Conley, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Johnston, Jones, Landers, Line, Mellett, O'Brien, Shields, Steele, Tarkington, White, and Wilson—24.

Those who voted in the negative were,

Messrs. Blair, Campbell, Carnahan, Conner, Hamilton, Hull, Lomax, March, Newcomb, Odell, Ray, Robinson, Shoulders, Slack, Stone, Teegarden, Williams, Wolfe—18.

So the resolution was adopted.

Leave being granted,

Mr. Line presented a petition from sundry citizens and tax-payers of the State of Indiana, asking the enactment of a law allowing persons to travel upon the road of the Harrison, New Trenton, Rochester, and Brookville Turnpike Company free of charge while going to and returning from church on Sunday,

Which,

On motion by Mr. Line,

Was referred to the Committee on Rights and Privileges.

On motion by Mr. Anthony,

Resolved, That the Committee on State Library be directed to examine the accounts of the late Librarian, and compare the same with his account, as kept by the Auditor, and report the result of the inquiry as early as convenient.

On motion by Mr. Claypool,

Resolved, That the Committee on Education be instructed to inquire into the propriety of so amending the School Law as to permit each county to retain for its own use the entire amount paid by them for Common School purposes, and that the Committee on the Judiciary be instructed to inquire whether such a change would be constitutional.

Mr. Bearss offered the following preamble and resolutions :

WHEREAS, The architect employed by the committees of the Senate and House of Representatives to aid them in investigating the cost and other matters connected with the Northern Prison, at Michigan City, has notified some of the members of that committee that he has been refused an opportunity of examining the plans, specifications, drawings, &c., in the hands of the commissioners, contractors and others connected with said Prison ; and WHEREAS, said committees cannot arrive at satisfactory and proper conclusions concerning the action of said parties without the aid of said architect and an inspection of said papers ; therefore,

Resolved, By the Senate, (the House of Representatives concurring,) that the architect so employed be authorized by this General Assembly to demand, in the name of the State, the surrender of all drawings, plans, specifications, and all other papers in the hands of the commissioners, contractors and other employees connected with said Prison, that may be necessary to enable said architect to make an estimate of the cost of the work on said Prison ; and that the commissioners, contractors, and employees in and about, and connected with said Prison, are hereby required to deliver to said architect all papers so demanded.

Resolved, That a copy of these resolutions, certified by the President and Secretary of the Senate, and the Speaker and Clerk of the House of Representatives, be placed in the hands of the committee to be forwarded by them to said architect as his authority to make the demand herein contemplated.

Mr. Cobb moved to strike out the preamble attached to the resolutions.

Which was not agreed to.

Mr. Slack moved to refer the resolution to the Committee on State Prisons.

Mr. Murray moved to lay the motion to refer on the table.
Which was agreed to.

The question being, shall the resolution be adopted?
It was agreed to.

On motion by Mr. Conley,

Resolved, That the Committee on the Organization of Courts, be requested to inquire into the expediency of so amending the law in

relation to the settlement of decedents' estates, so as to require the clerks of the Courts of Common Pleas to make a complete record of the settlement of such estates, and providing for the payment of the same out of the county treasury.

On motion by Mr. Miller,

Resolved, That the Committee on Education be authorized to join the House Committee on Education in the employment of one clerk to act for both committees, so long as his services may be required.

On motion by Mr. Hall,

Resolved, That the Committee on Temperance, be instructed to examine if there are proper penalties, or any, for the violation of sections eight and nine of an act to regulate and license the sale of intoxicating liquors, approved March 5, 1859; and, if not, to provide suitable penalties thereto, by bill or otherwise.

Mr. Berry, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills, to which was referred Senate bill No. 97, having compared the enrolled with the engrossed copy thereof, find the same correct.

A message from the House, by Mr. Gordon, the Clerk thereof :

MR. PRESIDENT :

I am directed by the House of Representatives to report to the Senate joint resolution No. 29, for the signature of the presiding officer of the Senate.

The President and Secretary signed the joint resolution.

Mr. Hull presented the following protest :

MR. PRESIDENT :

On the question of adopting the resolutions appointing Commissioners to meet Commissioners of Virginia at Washington, on the fourth of February proximo, I vote aye, but protest against the recognition of the Calhoun doctrine, "that the Federal Government is a compact of States, and not of the people;" and protest against it being construed, that one State or States have the right to secede,

or to form, or make treaties, or compromises, or amendments to the Constitution, otherwise than in the manner prescribed by the Constitution of the United States.

JAMES S. HULL, *Ripley County.*

Mr. DeHart presented the following protest :

MR. PRESIDENT :

I vote aye, for the following reason :

That I believe our Governor will appoint honest and capable men ; that they will meet the Commissioners from the Southern States, in a kind but firm spirit, inform them that the Republican party will stand up for the protection of all the rights of every State and the people thereof, but that they cannot consent that the Constitution should be changed to extend slavery, or make a compromise whereby slavery may be extended into free territory.

R. P. DEHART.

On motion by Mr. Wolfe,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
February 2, 1861.

The Senate met.

The Journal of the preceding day was read.

The President laid before the Senate the following communication:

INDIANAPOLIS, February 2, 1861.

To the Honorable J. R. Cravens, President of the Senate :

Sir: The undersigned would respectfully report that, in accordance with a resolution passed on yesterday, requiring the Doorkeeper of the Senate to furnish each Senator and elective officer with three dollars' worth each of postage stamps, he waited upon the Treasurer of State to procure the funds necessary to comply with said resolution, but found the State Treasury entirely empty, and is therefore unable to perform his duty in the premises.

All of which is respectfully submitted.

S. G. THOMPSON, *Doorkeeper of the Senate.*

The President laid before the Senate the following communication from the Treasurer of State :

OFFICE OF TREASURER OF STATE, }
Indianapolis, Feb. 1, 1861. }

Honorable John R. Cravens, President of the Senate.

The resolution of the Senate, in regard to the suspended debt, and money in the hands of the State Agent is received, and I have the honor to reply as follows: The \$104,052 37 suspended debt, enumerated in my report of January 1, 1861, as an item against the treasury balance, did not arise during my term of office, nor in any part. I have never had any connection with it, or control over it, and will take the liberty to refer you to the report of the commissioners appointed by the last Legislature, who have had it in charge; as to the solvency of the parties and condition of the debt, \$160,000 was placed in the hands of the Agent of State in New York to meet the semi-annual interest falling due Jan. 1, 1861, by the authority of a requisition from the Auditor of State, in pursuance of an act entitled "an act to provide for the Federal debt of the State of Indiana," and approved January 19, 1846. I have no knowledge of the condition of the money.

Respectfully yours,

N. F. CUNNINGHAM,
Treasurer of State.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Lomax presented the proceedings of a meeting of sundry citizens of Orange county on the State of the Union,
Which (under the rule) was
Referred to the Committee on Federal Relations.

Mr. Slack presented the proceedings of a meeting of sundry citizens of Whitley county on the state of the Union,
Which (under the rule) was
Referred to the Committee on Federal Relations.

Mr. White presented a petition from the county officers and members of the Bar of Warren county, asking the repeal of an act entitled "an act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857, and amendments to the same,

Which,

On motion by Mr. Line, was

Referred to the Select Committee on County and Township Business.

Mr. Conner from the Committee on Corporations made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 39, being "an act to give the same force and effect to surveys made by city surveyors, in certain cases, as if made by county surveyors, and authorizing appeals therefrom," have had the same under consideration, and have directed me to report the same back to the Senate, with the recommendation that said bill do lie on the table.

The report was concurred in, and
Senate bill No. 39, therein contained,
Was laid upon the table.

Mr. Beeson, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate bill No. 73, have had the same under consideration, and direct me to report it back, and recommend its passage.

The report was concurred in, and
Senate bill No. 73, therein contained, was ordered to be engrossed, and read a third time on to-morrow.

Mr. Johnston, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred a resolution of the Senate to inquire into the expediency of repealing the law requiring assessors to make out and return to the county auditors the statistical list for information, as is now required by law, have had the same under consideration, and have directed me to report the following bill, and recommend its passage:

Senate bill No. 99. An act to repeal section 73 of "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State," approved June 21, 1852.

The report was concurred in, and
Senate bill No. 99, therein contained,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Shoemaker, from the Committee on County and Township business, made the following report :

MR. PRESIDENT :

The Committee on County and Township business, to whom was referred Senate bill No. 26, being an act supplemental to an act entitled an act to provide for the relocation of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site, and a house to be used as a court house ; and where a deed has been executed, to provide also for the transfer of any equitable title for the termination of actions growing out of such relocation, and for the transfer of the former county property, approved December 22, 1858, so as to legalize and confirm the action of boards of commissioners in cases where public property has been conveyed under the provisions of such act, and to provide for the conveyance of the asylum for the poor, in certain cases, and to provide, also, that the Trustees created under the act to which this is supplemental, shall constitute bodies politic and corporate, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and

Senate bill No. 26, therein contained, was ordered to be engrossed and read a third time on to-morrow.

Mr. Conley, from a select committee, made the following report:

MR. PRESIDENT :

The select committee, to whom was referred sundry petitions of numerous citizens of the counties of Montgomery, Ripley, Sullivan, Lake, and Dubois, praying the repeal of an act entitled "An Act to authorize the formation of new counties, and to change county boundaries, approved March 7, 1857 ; and also the amendments thereto, approved March 5, 1859, have had the same under consideration, and have directed me to report them back and recommend that they lie on the table ; as a bill contemplating the object sought to be obtained by the petitioners is already embodied in a bill which is at this time on its third reading.

Which was concurred in.

Mr. Line, from a select committee, made the following report :

MR. PRESIDENT :

The select committee to whom was referred joint resolution No. 5,

proposing an amendment to section two, article two of the constitution, so as to enable the Legislature more effectually to guard against fraudulent voting, have had the same under consideration, and instructed me to report the same back and recommend its passage.

The report was concurred in, and

Senate joint resolution No. 5, therein contained,
Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Hamilton, Hull, Johnston, Jones, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Wilson and Wolfe—38.

Those who voted in the negative were,

Messrs. Lomax and Shoulders—2.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. March, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred joint resolution No. 6, proposing an amendment to article eight of the Constitution, have had the same under consideration and directed me to report the same back and recommend its passage. They also recommend the passage of an additional joint resolution No. 12, herewith presented, proposing an amendment to the 23d section of the fourth article of the Constitution, in relation to the uniform operation of laws throughout the State, so that legislation may conform to the construction heretofore put upon that and the preceding section by the Supreme Court, and render the other amendment operative.

The report was concurred in, and,

Senate joint resolution No. 12, a joint resolution proposing an amendment to the twenty-third section of article four of the Consti-

tution, so as to provide for laws enabling cities, townships and towns to raise money for the support of common schools,
Was read.

The question being, shall the joint resolution pass?

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Hamilton, Hull, Jones, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Wilson, and Wolfe—35.

Those who voted in the negative were,

Messrs. Johnston, Lomax, Shoulders, and Studabaker—4.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Senate joint resolution No. 6. A joint resolution proposing an amendment to article eight of the Constitution, so as to enable cities, townships and towns to levy taxes for the support of common schools,
Also contained in the foregoing report,
Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Beeson Berry, Blair, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Hamilton, Hull, Jones, Line, March, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Wilson, and Wolfe—31.

Those who voted in the negative were,

Messrs. Johnston, Lomax, Shoulders, and Studabaker—4.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Conner,

Leave of absence was granted to Mr. Claypool, until Monday, at 2 o'clock, P. M.

On motion by Mr. Hull,

Leave of absence was granted to Mr. Grubb, until Monday, at 2 o'clock, P. M.

On motion by Mr. Wolfe,

Leave of absence was granted to Mr. Landers, until Monday, at 2 o'clock, P. M.

On motion by Mr. Newcomb,

Leave of absence was granted to Mr. DeHart, until Monday, at 2 o'clock, P. M.

On motion by Mr. Conley,

Leave of absence was granted to Mr. Williams, until Tuesday, at 9 o'clock, A. M.

BILLS INTRODUCED.

Mr. Tarkington introduced

Senate bill No. 100. "A bill to create the fourteenth Judicial Circuit."

Which was read a first time.

Mr. Tarkington moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Hamilton, Hull, Jones, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Robinson, Shoulders, Slack, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Wilson, and Wolfe—36.

Senator Johnston voting in the negative.

So the rules were suspended, and the bill read a second time by its title, and,

On motion,
Referred to the Committee on the organization of Courts.

Mr. Conner introduced

Senate bill No. 101. An act to amend section one hundred and sixty-eight of an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county Treasurers and Auditors, and of the Treasurer and Auditor of State.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Wolfe introduced

Senate bill No. 102. A bill to amend sections twenty-one and twenty-two of "An act defining misdemeanors, and prescribing punishment therefor," approved June 14th, 1852, so as to define adultery, fornication, and public indecency, and to provide punishment therefor.

Which was read a first time, and passed to a second reading tomorrow.

Mr. Miller introduced

Senate bill No. 103. A bill to enable minors whose lands have been sold on application by the Guardian, during minority, to prosecute an appeal from the order of sale and confirmation at any time within three years after arriving at full age.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Slack introduced

Senate bill No. 104. A bill to amend an act entitled "An Act to amend the first section of an act concerning real property, and the alienation thereof," approved May 6, 1852, approved March 2, 1859, and to legalize conveyances made by Indians, negroes, and mulattoes.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 105. A bill to provide for the location, vacation, or change of public highways, for the assessment of damages sus-

tained by such location, vacation, or change, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of an act to provide for the opening, vacating, and change of highways, approved June 17th, 1852.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Teegarden introduced

Senate bill No. 106. A bill to provide for settlement and compromise by joint debtors with their creditor or creditors.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Hamilton introduced

Senate bill No. 107. "A bill for the relief of the heirs of Michael O'Brien, deceased."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Culver introduced

Senate bill No. 108. An act entitled an act to allow county commissioners to organize Turnpike Companies where a majority of persons representing the real estate within prescribed limits petition for the same, and levy a tax for its construction, and provide for the same to be free.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Ferguson introduced

Senate bill No. 109. A bill to amend the first section of an act entitled "an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint when necessary," approved May 29, 1852,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Murray introduced

Senate bill No. 110. A bill providing for the appointment of Notaries Public, defining their powers and duties, prescribing their fees, and repealing all former acts in relation thereto,

Which was read a first time and passed to a second reading on to-morrow.

Mr. March introduced

Senate bill No. 111. A bill to amend section twenty-three of an act entitled "an act for the relief of the Indiana University, and to increase and extend its benefits by providing for the sale of the lands granted by the United States for the use of the said University, regulating the application of the proceeds of the sale thereof, and prescribing the duties of the officers therein mentioned in relation thereto," approved March 2, 1859,

Which was read a first time and passed to a second reading on tomorrow.

Message from the Governor, by Mr. Holloway, his Secretary:

MR. PRESIDENT:

67

I am directed by the Governor to inform the Senate that he has approved and signed the following bill: Senate bill No. 97. An act to amend section twenty-one of an act entitled "an act to fix the time of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process from the present common pleas court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent herewith," approved March 5, 1859, and prescribing when this act shall take effect.

On motion by Mr. Odell,

Senate bill No. 89 was taken up.

Mr. Odell moved to suspend the rules, and read the bill a second time by its title.

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Conley, Craven, Cravens, Dickinson, Ferguson, Hamilton, Hull, Jones, Line, Lomax, March, Newcomb, O'Brien, Ray, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Wilson and Wolfe—34.

Senator Johnston voting in the negative.

So the rules were suspended, and the bill read a second time by its title, and

On motion by Mr. Odell,

Referred to the Committee on Organization of Courts.

On motion by Mr. Jones,

Resolved, That the Committee on the Judiciary be instructed to inquire into, and report whether, under the Constitution of this State, and the laws passed in compliance therewith, individuals who advanced money for the support of their friends in the Insane Hospital during the year 1857, can legally demand that the money so advanced shall be refunded to them from the State Treasury.

The Honorable David Studabaker, Senator from the counties of Adams, Wells and Jay, appeared and took his seat.

On motion by Mr. Steele,

Mr. Jones was added to the Committee on Banks.

On motion by Mr. Carnahan,

Mr. Ray was added to the Committee on Military Affairs.

On motion by Mr. Beeson,
The Senate adjourned.

MONDAY, 2 o'clock, P. M., }
February 4, 1861. }

The Senate met.

The Journal of the preceding day was read.

By unanimous consent,
Mr. Murray offered the following resolution:

Resolved, That the Committee on Public Printing inquire and report as to the expediency

First. Of letting out the public printing to the lowest bidder.

Second. Of what amount of money has been expended the last year, on account of the public printing, and whether said printing has been done under the prices established by the law of 1859.

Third. To examine the prices of said law of 1859, and report whether justice and economy demand the further reduction of said prices.

Fourth. To report a bill making it the duty of the public printer to furnish the paper necessary for the public printing.

Fifth. To report a bill separating the public binding from the public printing,

Which was agreed to.

Mr. Turner presented the following communication from John P. Dunn :

This agreement entered into this twenty-ninth day of December, A. D. 1860, by and between the Board of Control and Warden of the Northern Indiana State Prison, appointed to superintend the construction of a new State Prison in that part of the State lying north of the National road, of the first part, and J. M. Butterfield and Alpheus C. Stanton, of the State of Indiana, on the second part,

Witnesseth, That, whereas, as there are and will be, during the construction of said prison, a portion of the convicts in charge, unfit for full labor by the general contractor for the work, and also days and portions of days of bad weather, unfit for out-door labor, publications having been made according to law, for said proposals, and the bid of said Butterfield and Stanton being the highest and best bid, it is therefore agreed to accept the proposal of J. W. Butterfield and A. C. Stanton, for said labor, and the following agreement is entered into, by and between said parties, as follows :

The said Board of Control and Warden, in accordance with law, have this day leased and hired to the said J. W. Butterfield and Alpheus C. Stanton, for the term of two years from this date, and until the final completion of the Northern State Prison, all the convicts not in the employ, or may not be needed by the general contractors Talbot and Costigan, their successors or assigns, or extra convicts which may be on hand on such days or parts of days, as may be unsuitable for out-door labor, and when not employed by said contractors or their successors, reserving and excepting all convicts needed at any time by the general contractors, and all convicts which may be necessary to cook, wash, and do other work and service in the carrying out of said prison. In the employment of said convicts, whether more or less, the said J. W. Butterfield and Alpheus C. Stanton shall not be at any expense in keeping or maintaining or guarding said convicts, or in all of said expense and guards shall be furnished by the State. It is further agreed, that said Butterfield and Stanton shall pay for said labor twenty-five (25) cents per day, the time to be kept by the Warden, and at the end of each month an estimate shall be made by the same. It is further agreed, that said convicts may be

worked on the prison grounds, or in the prison buildings, or taken off the grounds to chop wood or obtain other materials. The convicts so worked by this contract may have the privilege to receive or task as full days labors, and shall be allowed for their own benefit, according to law, all overwork so done. The Board and Warden shall have the right to direct when the weather is unsuitable for out-door labor. It is expressly understood that the prison laws and regulations shall be properly enforced in the management of said convicts, and that no foreman shall be employed and placed in charge, except by consent of the Warden. The Board reserve the right to declare this contract void when there is a violation of any of the provisions of this contract by the contracting parties, Butterfield and Stanton.

JOHN W. BLAKE, *Prest. B. C.*,

JOHN P. DUNN,

C. W. SEELY, *Warden*,

J. W. BUTTERFIELD,

A. C. STANTON.

MICHIGAN CITY, Dec. 29, 1860.

A true copy.

Which,

On motion by Mr. Turner,

Was referred to the Committee on State Prison.

Mr. O'Brien presented a petition from the judge and members of the bar of Dearborn county, asking extension of the term for holding Court of Common Pleas in said county,

Which,

On motion by Mr. O'Brien,

Was referred to a select committee consisting of Senators Cravens, Robinson, Hull, and O'Brien.

Mr. Wilson presented a petition from sundry citizens of Sullivan county, Indiana, asking the repeal of an act to authorize the formation of new counties and to change county boundaries, approved March 7, 1857; and, also, the amendments thereto, approved March 5, 1859.

Which,

On motion,

Was referred to the Select Committee on County and Township Business.

Mr. Blair presented a petition from sundry citizens of Indiana, asking a saving clause in the act (if such act should pass,) repealing the acts of 1857 and 1859 on the subject of forming new counties.

Which,

On motion by Mr. Blair,

Was referred to the select committee on County and Township business.

Mr. Dickinson, from the committee on Temperance, made the following report:

MR. PRESIDENT:

I am directed by a majority of the Committee on Temperance to report back Senate bill No. 8, and recommend its consideration by the Senate,

Which was concurred in.

BILLS INTRODUCED.

Mr. Conley introduced

Senate bill No. 112. A bill to regulate the remission of fines and forfeitures, and to repeal all laws conflicting with the provisions of this act.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. O'Brien introduced

Senate bill No. 113. A bill to amend the one hundred and forty-fourth section of an act entitled "An Act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice, in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18th, 1852.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Newcomb introduced

Senate bill No. 114. A bill for the relief of borrowers of Sinking Fund, Surplus Revenue Fund, Saline Fund, Congressional School Fund, and other funds, and to repeal a certain act therein named; and prescribing how mortgages may be substituted, and matters properly connected therewith.

Which was read a first time.

Mr. Newcomb moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Steele, Stone, Studabaker, Teegarden, Turner, White, Wilson, and Wolfe—37.

Senator Johnson voting in the negative.

So the rules were suspended, and the bill was read a second time by its title.

Mr. Carnahan moved to lay the bill upon the table, and order one hundred copies thereof printed.

Which was not agreed to.

On motion by Mr. Newcomb,

The bill was referred to the Committee on the Judiciary.

Mr. Newcomb introduced

Senate bill No. 115. A bill to amend the second and fifth sections of an act to authorize the Commissioners of the Sinking Fund to receive substitutions of stock mortgages, and for other purposes, approved January 28, 1847, and containing some provisions respecting the reinstating of mortgages given for loans made from the Sinking Fund, or any fund loaned by the Auditor or Treasurer of State, and of sales made on account of any of said funds, and respecting the collection, safety, and control of said funds; the time, place, and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith.

Which was read a first time.

Mr. Newcomb moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Robinson, Shields, Shoulders, Steele,

Stone, Studabaker, Teegarden, Turner, White, Wilson, and Wolfe—
37.

Senator Johnston voting in the negative.

So the rules were suspended, the bill read a second time, and

On motion by Mr. Newcomb,
Referred to the Committee on the Judiciary.

Mr. Claypool introduced

Senate bill No. 116. A bill to amend section seven of an act entitled "An Act to provide for the election of a Reporter, and a speedy publication of the Decisions of the Supreme Court, and for the compensation of such Reporter," approved February 5th, 1852.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Studabaker introduced

Senate bill No. 117. A bill to authorize and require clerks of Circuit and Common Pleas Courts to enter satisfaction of certain mortgages foreclosed in such Courts, and providing compensation therefor.

Which was read a first time.

Mr. Anthony moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, Odell, Ray, Robinson, Shields, Shoulders, Steele, Stone, Studabaker, Teegarden, Turner, White, Wilson, and Wolfe—36.

No Senator voting in the negative.

So the rules were suspended, the bill read a second time by its title, and,

On motion,
Referred to the Committee on the Judiciary.

Mr. Cobb introduced

Senate bill No. 118. A bill to fix the time for holding the Circuit Courts in the Fourteenth Judicial Circuit, and repealing all laws in conflict therewith.

Which was read a first time.

Mr. Cobb moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Line, Lomax, March, Miller, Murray, Odell, Ray, Robinson, Shields, Shoulders, Steele, Stone, Studabaker, Teegarden, Turner, White, Wilson, and Wolfe—36.

Senator Johnson voting in the negative.

So the rules were suspended, and the bill was read a second time by its title, and referred to the Committee on the Organization of Courts.

Mr. Cobb introduced

Senate bill No. 119. A bill to amend section six of an act entitled "an act touching the laying out and vacating towns, streets, alleys, public squares and grounds, or any part thereof; the making out and recording of plats of such towns, and providing for the change of names of such towns," approved May 20, 1852,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Teegarden introduced

Senate bill No. 120. A bill supplementary to an act entitled "an act to repeal all general laws now in force for the incorporation of cities, to prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1857,"

Which was read a first time and passed to a second reading on tomorrow.

Message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to report the accompanying enrolled House joint resolution for the signature of the President and Secretary of your body.

House joint resolution No. 23. A joint resolution directing the Auditor and Secretary of State to distribute statutes, laws, reports, and other documents, to the county of Newton and other newly-organized counties.

The President and Secretary signed the joint resolution.

Mr. Claypool introduced

Senate bill No. 121. A bill supplementary to an act to authorize and regulate the business of general banking, passed 3d March, 1855, authorizing the Auditor and Treasurer of State to surrender the securities and money deposited in certain cases,

Which was read a first time.

Mr. Claypool moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, O'Brien, Odell, Ray, Robinson, Shields, Shoulders, Steele, Stone, Teegarden, Turner, White, Wilson, and Wolfe—36.

No Senator voting in the negative.

So the rules were suspended, the bill read a second time by its title and referred to the Committee on Banks.

Mr. Carnahan introduced

Senate bill No. 122. A bill to provide for the establishment of private roads on the lines between the lands of adjoining proprietors,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Ferguson introduced

Senate bill No. 123. A bill to amend section six hundred and one of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil case in the courts of this State, to abolish distinct forms of actions at law, and provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Which was read a first time and passed to a second reading on tomorrow.

On motion by Mr. Blair,

The further consideration of the Order of the Day, being the minority report from the Committee on Federal Relations, was postponed until Thursday next, at ten o'clock A. M., and made the special order for that hour.

Mr. Ray presented the following protest, which was ordered to be spread upon the Journal of the Senate:

MR. PRESIDENT:

The undersigned Democratic members of the Senate, having voted, on Thursday last, in favor of the Joint Resolutions, authorizing the Governor to appoint five commissioners to attend the conference of States at Washington city on the fourth of February proximo, and having voted under protest, respectfully submit the following reasons for their vote, and ask that the same may be spread upon the Journal of the Senate:

We voted for the resolutions notwithstanding the conditions and limitations imposed by them on the discretion and action of the commissioners, because we were deeply impressed, not only with our own responsibilities, but with the magnitude of the issues involved in the result of the proposed conference, and we hailed with pleasure any proposition coming from the Republican majority, which looked toward a peaceful solution of the grave controversies threatening our existence as a nation.

But while it was our pleasure to support the resolutions appointing said commissioners, we respectfully protest against sending commissioners to said conference with all discretion withheld, and all the power abnegated by the resolutions of their appointment, as amounting to a mocking of the patriotic ends of the conference proposed by Virginia and Kentucky, and as trifling with the solemn facts and portentous signs of a revolutionary hour; we protest against the provision prohibiting the commissioners to act until nineteen States shall be represented in the conference, as evincing a purpose of preserving

the politic forms of negotiation, while the powers to negotiate are withheld. We protest also against the provision of said resolutions requesting the postponement of said conference, because every day's delay weakens the bonds of union, and forces into view new obstacles to the peace and tranquillity of the country.

We also protest because the resolutions do not indicate any, but virtually deny all means of settling our national controversies by other means than the sword. And we especially protest against the implied hostility, contained in the resolutions, to all measures of conciliation and compromise, as well as against the unfriendly and reluctant manner in which it has pleased the majority to respond to the fraternal invitations from Virginia and Kentucky, as manifesting a settled purpose to insure the failure of the conference.

THOMAS R. COBB,
M. W. SHIELDS,
S. K. WOLFE,
FRANKLIN LANDERS,
SMITH JONES,
JOHN C. SHOEMAKER,
H. R. WILSON,
CORNELIUS O'BRIEN,
J. N. CONLEY,
M. M. RAY,
THOMAS SHOULDERS,
QUINTIN LOMAX,
ARCH. JOHNSTON,
M. T. CARNAHAN,
A. B. LINE,
C. P. FERGUSON,
W. C. TARKINGTON.

On motion,

The Senate took up Senate bills on their third reading.

SENATE BILLS ON THIRD READING.

Senate bill No. 5. A bill to amend section two hundred and thirty-eight of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 8, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb,

Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Tarkington, White, Wilson and Wolfe—34.

Those who voted in the negative were,

Messrs. Anthony, Carnahan, Conley, Shields, Shoulders, Teegarden and Turner—7.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 12, A bill to amend the sixteenth section of an act entitled "an act touching the relation of guardian and ward,"
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Teegarden, Turner, White, Wilson and Wolfe—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 19. An act to amend the third section of an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act,"
Was read a third time.

Mr. Conley moved to re-commit the bill with the following instructions:

Amend so as to allow persons to kill on their own premises at any time.

Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Claypool, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Tarkington, Turner, White and Wilson—29.

Those who voted in the negative were,

Messrs. Blair, Campbell, Carnahan, Cobb, Conley, Shields, Shoulders, Studabaker, Teegarden, and Wolfe—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 24. An act to amend the sixth section of an act entitled "An Act for the encouragement of Agriculture," approved February 17th, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Dickinson, Grubb, Hamilton, Hull, Johnson, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoemaker, Shoulders, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Wilson and Wolfe—39.

No Senator voting in the negative.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Tarkington

The order of business was suspended, and the Senate took up

House bill No. 104. A bill to provide for deficiency in the Treasury by a loan of seventy-five thousand dollars from the Commissioners of the Sinking Fund, and for the security and repayment of the same.

The question recurring on the question to recommit the bill with the pending instructions,

Mr. Anthony moved to lay the motion on the table.

The ayes and noes being demanded by Senators Carnahan and Line,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Craven, Cravens, Grubb, Hull, March, Miller, Newcomb, Robinson, Turner—15.

Those who voted in the negative were,

Messrs. Carnahan, Claypool, Conley, Ferguson, Hamilton, Johnston, Landers, Line, Lomax, Murray, C'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Stone, Studabaker, Tarkington, Teegarden, Wilson, Wolfe—22.

So the motion to lay on the table did not prevail.

The question recurring on the motion to recommit the bill and pending amendments to the Committee on Finance, the same was agreed to.

On motion by Mr. Bearss

Leave of absence was granted to Mr. DeHart for the remainder of the week.

Senate bill No. 29. An act to amend section fourteen of an act, entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Teegarden, Turner, White, Wilson, and Wolfe—38.

Those who voted in the negative were,

Messrs. Lomax and Shoulders—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Claypool moved that the Senate do now adjourn,
Which was not agreed to.

Senate bill No. 40. A bill for the protection of fish, and defining the penalties for the violation of this act, and the recovery of said penalties,

Was read a third time.

Mr. Miller moved to re-commit with the following instructions:

Amend so as to include the St. Joseph and Kankakee rivers in the proviso of the first section.

Mr. Line offered the following additional instructions:

Insert in its proper place, "That the provisions of the bill shall be so construed as to admit persons to fish with seines from the first day of September to the first day of March."

Mr. Odell offered the following additional instructions:

"Also exempt the Tippecanoe river."

Mr. Carnahan moved that the bill and pending instructions be indefinitely postponed.

Mr. Blair moved to lay the motion to postpone upon the table.

The ayes and noes being demanded by Senators Conley and Johnston,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Campbell, Claypool, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, March, Miller, Murray, O'Brien, Odell, Robinson, Shoemaker, Stone, Studabaker, Tarkington, Teegarden, Turner and White—26.

S. J.—17.

Those who voted in the negative were,

Messrs. Bearss, Berry, Carnahan, Cobb, Conley, Johnston, Landers, Lomax, Ray, Shields, Shoulders, Wilson and Wolfe—13.

So the motion to lay the motion on the table prevailed.

Mr. Wolfe offered the following additional instructions:

“To amend said bill so as to except from its provisions all the streams in, or bordering on, Harrison and Washington counties.”

Mr. Landers offered the following additional instructions:

“Amend by excluding White river and White Lick from the provisions of this bill.”

Mr. Turner offered the following instructions:

“Amend by excluding Lake Michigan, and the Kankakee and Calumet rivers.”

Mr. Cobb offered the following instructions:

“Amend so as to except White river, Salt creek, Indian creek, Leatherwood and Spider creeks, in the county of Lawrence.”

Mr. Lomax offered the following instructions:

“Amend so as to leave out Orange and Crawford counties.”

Mr. Line moved the previous question,
Which was not seconded.

Mr. Conley offered the following additional instructions:

“Amend said bill so as to permit the people of Green and Owen counties to seine or fish in any of the streams in either of said counties.”

Mr. Johnston offered the following additional instructions:

“Amend by excepting the streams in Putnam and Clay counties.”

Mr. Bearss, offered the following additional instructions:

“Amend so as to exclude Eel river.”

Mr. Ferguson offered the following additional instructions:

"Amend at the proper place as follows: "It shall not be lawful for any person to catch fish from any of the rivers, creeks or streams of this State, with a hook, when said fish refuse to bite."

Mr. Ray offered the following additional instructions:

"Amend by excepting Blue river, and Flat rock, Sugar creek and Brandywine of Shelby and Hancock counties."

Mr. Shoulders offered the following additional instructions:

Amend so as to strike out Dubois, Pike, and Gibson counties.

Mr. Stone offered the following instructions:

Amend so as to exclude White River, Sugar Creek, and Salt creek in Randolph county.

Mr. Murray moved to lay the instructions on the table.

The ayes and noes being demanded by Senators Carnahan and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Claypool, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, March, Murray, Newcomb, Obrien, Odell, Robinson, White—18.

Those who voted in the negative were,

Messrs. Berry, Bearss, Campbell, Carnahan, Cobb, Conley, Johnston, Landers, Line, Lomax, Miller, Ray, Shields, Shoemaker, Shoulders, Stone, Studabaker, Teegarden, Turner, Wilson, Wolfe—21.

So the motion to lay on the table did not prevail.

Mr. Miller offered the following additional instructions:

Amend so as that the provisions of the bill shall not affect dams for water power already erected, or hereafter to be erected.

The question recurring on the motion to recommit the bill, with the pending instructions,

The Senate passed informally over the order of business, and

The President laid before the Senate the following communication :

DEAF AND DUMB ASYLUM, }
Feb. 4th, 1861. }

HON. JOHN R. CRAVENS,

President of the Senate—

SIR: In accordance with a resolution of the House of Representatives, inviting me to give an exhibition of the proficiency of the pupils under my care, before the General Assembly, at such time and place as shall be most convenient, I beg leave to inform the members of the Senate that I shall be prepared to give such exhibition in the Masonic Hall of this city on Friday evening, the 15th inst. All the members of the Senate are hereby most respectfully invited to be present to witness the exercises.

Very respectfully,
THOS. MAC INTIRE,
Superintendent.

On motion by Mr. Carnahan,
The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
February 5, 1861. }

The Senate met.

The Journal of the preceding day was read.

Mr. Robinson presented a petition from the President and Directors of the Mount Sterling and Versailles Turnpike Company, asking a change of the twenty-eighth section of the charter of said company.

Which,

On motion,

Was referred to the Committee on Corporations.

Mr. March, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 1, entitled "an act defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State, have had the same under consideration and directed me to report the same back and recommend its passage, with the the following amendment:

Add to the first section the following:

"Provided, That county and township treasurers may make special deposits of public money for safe keeping, and for no other purpose, where any county or township is not furnished with a proper place for the safe keeping of said money."

Insert in section two, in line one, after the word county, the words "or township."

In the second line of said section, after county, insert "township."

After the word county in the fourth line of said section, insert "or township."

After the word "shall" in the second line of said section, insert "knowingly."

In line one, section three, after the word county, insert "or township."

In section four, line one, after county, insert the words "or township." After "shall" in said line, insert "knowingly."

After the word "county" in the third line of said section, insert the words "or township."

In section six, line one, after the word "county," insert the words "or township."

In section seven, line one, after the word "county," insert the words "or township."

Strike out all between the words "act" and "and" in the second line of the eighth section, and insert the following: "or part of an act, except so much and so far only as provides punishment for the same identical offenses."

The report was concurred in, the amendments adopted, and

Senate bill No. 1, therein contained, was

Ordered, To be engrossed, and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. Mellett introduced

Senate bill No. 124. A bill to authorize Circuit Courts to hold adjourned and special terms, and to fix the compensation of judges

and prosecuting attorneys therefor, and to legalize such terms heretofore held.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Tarkington introduced

Senate bill No. 125. A bill to subdivide tracts of land in the reserved townships in the counties of Monroe and Gibson.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Lomax introduced

Senate bill No. 126. A bill to repeal so much of an act entitled "an act to provide for equalizing the appraisement for taxation of the real property of the State of Indiana," approved May 28, 1852, as authorizes holding District and State Boards of Equalization.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Robinson introduced

Senate bill No. 127. A bill authorizing county auditors to issue fee bills.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Jones moved to suspend the Order of Business, and take up his motion, previously made, to reconsider the vote by which the Senate had referred all petitions, resolutions, and other matters pertaining to the State of the Union, to the Committee on Federal Relations.

The ayes and noes being demanded by Senators Slack and Johnston,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Clay-

pool, Conner, Craven, Cravens, Culver, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, and White—24.

So the motion to suspend the rules was not agreed to.

Mr. Shoulders presented the proceedings and resolutions of a Union meeting of the citizens of Gibson county,

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Claypool presented the proceedings and resolutions of a Union meeting of the citizens of Fayette county,

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Slack presented the proceedings and resolutions of a meeting of citizens of Indiana.

Mr. Shoulders moved to suspend the Order of Business, and read the resolutions.

Mr. Anthony moved to lay the motion on the table.

The ayes and noes being demanded by Senators Slack and Wilson,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele; Stone, Teegarden, Turner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—21.

So the motion to suspend was laid upon the table.

The Senate having resumed the consideration of the subject matter pending at adjournment on yesterday, being Senate bill No. 40. A bill for the protection of fish, and defining the penalties for the violation of this act, and the recovery of said penalties,

Mr. Shields moved to re-commit the bill and instructions therewith pending.

Mr. Studabaker offered the following additional instructions:

Amend so as to except from the operation of this bill the St. Mary's river.

Mr. Slack offered the following instructions:

Instruct the committee to so amend the bill as to authorize the taking of Catfish and suckers at any season.

Mr. Odell offered the following additional instructions:

First. That the committee be instructed to so amend the bill, that the restrictions therein contained, shall have no force or effect, except from the first day of May of each year, until the first day of September thereafter.

Second. To so amend the bill, as not to prohibit the construction of dams across streams for water power.

The question recurring upon the motion to re-commit,
The same was agreed to.

SENATE BILLS ON THIRD READING.

Senate bill No. 16. A bill requiring township assessors to ascertain the number of sheep killed by dogs, and their value,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Turner, White, Williams, Wilson and Wolfe—43.

Those who voted in the negative were,

Messrs. Lomax and Shoulders—2.

So the bill passed.

Ordered That the Secretary inform the House thereof.

Mr. Landers moved to suspend the Order of Business and take from the files, Senate bill No. 46,

Which was agreed to.

Senate bill No. 46. A bill to amend the fifty-seventh and fifty-ninth sections of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852,

Was read a second time, and,

On motion,

Was referred to the Committee on the Judiciary.

Senate bill No. 18. A bill to amend section three hundred and fifteen of an act entitled "an act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Studabaker, Tarkington, Tecgarden, Turner, White, Williams, Wilson and Wolfe—46.

Senator Carnahan voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 26. A bill supplemental to an act entitled "an act to provide for the re-location of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court house, and where a deed has been executed; to pro-

vide also for the transfer of any equitable title for the termination of actions growing out of such relation, and for the transfer of the former county property," approved December 22, 1858, so as to legalize and confirm the action of boards of commissioners in cases where public property has been conveyed, under the provisions of such act, and to provide for the conveyance of the asylum for the poor in certain cases; and to provide also that the trustees created under the act, to which this is supplemental, shall constitute bodies politic and corporate,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Studabaker, Tarkington, Turner, White, Williams, Wilson and Wolfe—43.

Those who voted in the negative were,

Messrs. Beeson and Teegarden—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 44. A bill to make the register, catalogue, tract-book, plat-book and description of lands kept in the land offices of the United States, and in the Canal and Michigan Road land offices, and copies thereof, *prima facie* evidence of the truth of their contents,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—47.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 45. A bill to amend section three of an act entitled "an act to provide for the election of a Reporter, and a speedy publication of the Sessions of the Supreme Court, and for the compensation of such Reporter,"

Was read a third time.

Mr. Newcomb moved to recommit the bill with the following instructions :

Recommit with instructions to provide that if the Decisions of a single term shall not amount to the number of pages now required by law, that the Reporter may, notwithstanding, publish a separate volume for each term.

Mr. Hamilton moved the following additional instructions :

Amend the instructions, so that no more shall be charged for the publication than a proportionate amount, equal to three dollars per six hundred pages.

The question recurring on the motion to recommit the bill with the pending instructions,

The same was agreed to.

Senate bill No. 49. A bill to provide for struck juries in the Circuit and Common Pleas Courts,

Was read a third time.

The question being, Shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Claypool, Cobb, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Steele, Stone, Studabaker, Teegarden, Turner, Williams, and Wilson—32.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Conner, Johnston, Landers, Lomax, Shields, Shoulders, White, and Wolfe—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 56. A bill to amend section ten of an act entitled "an act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857, so as to allow new counties to be formed out of territories of less than four hundred square miles, and prescribing how the number of qualified voters shall be ascertained,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoulders, Steele, Stone, Studabaker, Turner, White, Williams, and Wilson—40.

Senator Wolfe voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Turner moved to amend the title so as to read as follows:

A bill to amend section ten of "an act to amend the first section of an act entitled 'an act to authorize the formation of new counties, and to change county boundaries, approved March 7, 1857,' so as to allow new counties to be formed out of territories of less than four hundred square miles, and prescribing how the number of qualified voters shall be ascertained," approved March 5, 1859.

Senate bill No. 54. A bill regulating docket fees in the Court of Common Pleas, and providing compensation for district attorneys,
Was read a third time.

Mr. Wolfe moved to recommit with the following instructions:

To strike out of the bill all that part which provides for the payment out of the county treasury of the prosecuting attorney's fee in case of the insolvency of the defendant.

Mr. Hamilton moved the following additional instructions :

Amend so as to give the Common Pleas attorney four hundred dollars per annum out of the State Treasury, and five dollars on each conviction on plea of "not guilty," and two dollars and fifty cents on each plea of "guilty," the docket fee to be collected from the defendant.

Mr. Williams moved, that the Senate do now adjourn,
Which was not agreed to.

Mr. Tarkington offered the following additional instructions :

Amend by inserting at the proper place, that in no case shall the board of county commissioners pay any of said fees, until the clerk of the Circuit Court shall certify to the said board that the said fees cannot be collected of the defendant.

Mr. Murray offered the following instructions :

Strike out all after the enacting clause and insert the following :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the prosecuting attorneys of the Common Pleas Courts shall each be allowed an annual salary of three hundred dollars, to be paid quarterly out of any money in the Treasury belonging to the general fund, and not otherwise specially appropriated by law.

SEC. 2. That each of said prosecuting attorneys shall be allowed, in addition to their salaries as above provided, the following fees, that is to say, a docket fee, in the Common Pleas Court on a plea of guilty, two dollars; a docket fee before a justice of the peace of two dollars and fifty cents; a docket fee upon forfeited recognizances, when he prosecutes to final judgment against the defendant, if contested, of five dollars; a docket fee upon forfeited recognizances, when he prosecutes to final judgment against the defendant, if not contested, of three dollars; a docket fee in cases in the Common Pleas Court, on a plea of not guilty, of four dollars. In all other cases, not herein specified, when the prosecuting attorney is required by law to prosecute or defend, a docket fee of five dollars.

SEC. 3. That each of said prosecuting attorneys may recover from the defendant in every successful prosecution the fees in the last preceding section prescribed, and in such case it shall be the duty of the clerks of said Common Pleas Courts to tax up said fees with the costs in said cause; but said prosecuting attorneys shall in no manner receive or recover any such fees from the State, or from any county therein.

SEC. 4. That all laws and parts of laws relative to the salaries

and fees, or either of the prosecuting attorneys of said Common Pleas Courts be, and the same are hereby repealed; saving, however, all and every right, either to salary or fees, which may have accrued to any prosecuting attorney of any Common Pleas Court prior to the taking effect of this act.

SEC. 5. That, inasmuch as there is now no law in force making adequate provision for the compensation of the prosecuting attorneys of the Common Pleas Courts, an emergency is hereby declared to exist for the immediate taking effect of this act, and it is hereby declared that the same shall be in force from and after its passage and approval.

Mr. March offered the following additional instructions :

Add to the last section, That the county commissioners shall make no allowance for fees to the district attorney, under the provisions of this act, until furnished with the certificate of the clerk of the proper Circuit Court that the defendant is insolvent, and no fees can be collected from him. Said attorney shall receive no compensation from the public treasury except as provided in this act, and on failure to attend any Common Pleas Court, or any criminal trial therein, said court shall appoint a substitute, who shall receive the fees provided in this act.

The question recurring upon the motion to recommit the bill, with the pending instructions, to the Committee on the Judiciary.

The same was agreed to.

On motion by Mr. Carnahan,
The Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
February 6, 1861. }

The Senate met.

The Journal of the preceding day was read.

On motion by Mr. Line,
Senators Cobb and March were added to the select committee for the protection of Fish.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Beeson presented a petition from sundry citizens of Indiana, asking the enactment of a law for the protection of sheep from dogs,
Which was referred to the Committee on Agriculture.

Mr. Carnahan presented a petition from sundry citizens of Posey county, Indiana, asking the enactment of a law for the protection of sheep from dogs,
Which was referred to the Committee on Agriculture.

Mr. Newcomb presented a petition from T. A. Goodwin, on the subject of the Public Printing,
Which was referred to the Committee on Printing.

Mr. Wolfe moved to suspend the order of business and take up Senate bills on their second reading,
Which was not agreed to.

Mr. Anthony presented a petition from sundry citizens of the State of Indiana, asking that a saving clause be inserted in the act repealing the acts of 1857 and 1859, authorizing the formation of new counties, if such repealing act should be passed.

Which was referred to the select committee on County and Township Business.

REPORTS FROM STANDING COMMITTEES.

Mr. Steele, from the Committee on Finance, offered the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred a petition from citizens of Warren county, have had the same under consideration, and have directed me to report said petition back to the Senate and recommend its reference to the Committee on Claims.

The report was concurred in and Petition No. 1, therein contained, was referred to the Committee on Claims.

Mr. Conley, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred Petition No. 1,

from the citizens of Brown county, have had the same under consideration, and directed me to report it back to the Senate and recommend that it lie upon the table, inasmuch as a bill is now before the Senate embracing the same subject.

The report was concurred in, and the petition therein contained was laid upon the table.

Mr. Mellett, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred Senate bill No. 37, a bill to amend the first section of an act entitled "an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5th, 1859, have directed me to report said bill back to the Senate and recommend its passage.

The report was concurred in, and Senate bill No. 37, therein contained, was ordered to be engrossed and read a third time on tomorrow.

Mr. Mellett, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 104, "a bill to provide for the deficiency in the treasury by a loan of seventy-five thousand dollars from the commissioners of the sinking fund, and for the security and re-payment of the same, have had the same under consideration and have directed me to report said bill back for the action of the Senate, inasmuch as it would be impracticable to incorporate the proposed amendments in said bill.

Which was concurred in.

Mr. Blair, from the Committee on Finance, made the following report:

MR. PRESIDENT:

I am directed by the Committee on Finance, to whom was referred Senate bill No. 38, "an act authorizing county auditors to purchase justice's dockets, and to pay for the same out of the county treasury, and to provide for the safe keeping of the same," to report said bill back to the Senate, and recommend its passage, provided that the auditor shall be authorized to purchase but one, instead of two dockets.

The report was concurred in, the proviso adopted, and Senate bill No. 38, therein contained, was ordered to be engrossed and read a third time on to-morrow.

Mr. Hull from the Committee on Roads made the following report:

MR. PRESIDENT:

The Committee on Roads, to whom was referred Senate bill No. 36, a bill to amend the forty-ninth section R. S. of an act entitled "an act to provide for the opening, vacation and change of highways," approved June 17, 1852, have had the same under consideration, and a majority have directed me to report the same back, and recommend its passage.

The report was concurred in, and Senate bill No. 36, therein contained, was ordered to be engrossed and read a third time on to-morrow.

Mr. Conley from a select committee, made the following report:

MR. PRESIDENT:

A majority of the select committee, to whom was referred Senate bill No. 43, "an act to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent therewith, have had the same under consideration, and have directed me to report it back without amendment, and when so reported, recommend its passage.

Mr. Anthony, from the same select committee, made the following report:

MR. PRESIDENT:

The undersigned, a member of the select committee, to whom was referred Senate bill No. 43, "a bill to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent therewith," dissents from the report of the majority of said committee, because he believes the unconditional repeal of all existing laws in conflict with the act reported by the committee would be an act of bad faith to a large number of the citizens of the State, who, acting under the provisions of, and in strict accordance with the laws heretofore enacted, have incurred obligations, and acquired rights which, by said repeal, would be divested.

He therefore joins in the recommendation that the said bill be passed with the following proviso:

Provided, That this act shall not be construed to affect in any wise any case or cases in which proceedings have been commenced under

any act hereby repealed; but the same shall proceed to a final determination under the provisions of the said acts of 1857 and 1859, in the same manner as if said acts had not been repealed.

Mr. Conner moved to concur in the report, with the following amendment:

Amend by inserting in the proper place, "provided, however, that nothing in this act shall be so construed as to affect in any manner, whatever, any proceedings had, and pending, under an act to authorizing the formation of new counties, and to change county boundaries," approved March 7, 1857. And provided, further, that nothing in this act shall be so construed as to affect any county or counties that may have been organized under said acts of 1857 and 1859.

Mr. Murray moved to recommit the bill and pending amendment with instructions to strike out all that part which relates to the repeal of the law of 1857.

Mr. Hull offered the following amendment:

Amend the motion to recommit with instructions to report repealing the law of 1859, by including the repeal of the second section of the law of 1857, relative to the change of county boundaries.

Mr. Anthony moved that the Senate do now adjourn,
Which was not agreed to.

Mr. Conley moved to lay the pending instructions upon the table.

Mr. Murray moved to amend by laying the bill upon the table, and demanded a division of the question.

The question recurring upon the motion to lay the instructions upon the table,

Mr. Wolfe demanded a division of the question.

The question recurring upon the motion to lay the instructions offered by Mr. Hull upon the table,
The same was agreed to.

The question recurring upon the motion to lay upon the table the amendment of Mr. Murray,
The same was agreed to.

The question recurring upon the motion to lay the bill upon the table,

The same was not agreed to.

Mr. Hull offered the following amendment to the amendment:

SEC. 1. Amend the amendment by adding to the saving clause that any section, township or any part of a township may remain within their present limits or boundaries by petitioning the County Commissioners, and upon such petition being made and signed by a majority of the legal voters in such section, township or part of a township, and present it at the regular, adjourned or called meeting of the County Board, said County Board shall not change the present county relations of such section, township or part of a township so petitioning.

SEC. 2. It is hereby declared that an emergency exists for the immediate taking effect of this act; it shall, therefore, take effect and be in force from and after its passage.

Pending the consideration of the motion to concur in the report with the pending amendments,

On motion by Mr. Slack,
The Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
February 7, 1861. }

The Senate met.

The Journal of the preceding day was read.

By unanimous consent,
Mr. Williams introduced

Senate bill No. 128. A bill to apportion Senators and Representatives for the next six years,
Which was read a first time.

Mr. Williams moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Odell, Ray, Robinson, Shields, Shoulders, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—42.

No Senator voting in the negative.

So the rules were suspended, the bill read a second time by its title, and,

On motion,
Referred to the Committee on Apportionment.

On motion by Mr. Cobb,

Mr. Shoemaker was granted leave of absence until Tuesday next at 9 o'clock A. M.

On motion by Mr. White,

Mr. Campbell was granted leave of absence until Tuesday next at 9 o'clock A. M.

On motion by Mr. Mellett,

The order of business was suspended, and

Mr. Mellett offered the following concurrent resolution :

Resolved by the Senate (the House of Representatives concurring), That a joint committee of eleven, seven on the part of the House and four on the part of the Senate, be raised to report a bill to both Houses apportioning the State into proper Senatorial and Representative districts, and that the President of the Senate and Speaker of the House be requested to consult together before appointing said committee, so as to have each Congressional district represented on said committee.

Mr. Claypool offered the following amendment :

Strike out "seven" and insert "six," and strike out "four" and insert "five."

Which was agreed to.

On motion by Mr. Studabaker,

The rules were suspended, and

Mr. Studabaker offered the following resolutions:

Resolved, That the Committee on Education be instructed to inquire into the expediency of so amending the school law, as to provide,

First. To fix a day upon which, annually, the auditor and treasurer shall expose to sale all lands mortgaged to the school fund, the interest on which shall not have been previously paid.

Second. So as to make a semi-annual distribution of the revenue to the several townships.

Third. To require the auditors and treasurers to report under oath to the State superintendent, the amount of common school fund loaned in their respective counties, and the amount of interest for distribution, and report by bill or otherwise.

Which was agreed to.

On motion by Mr. Claypool,

The vote adopting his amendment to the resolution of Mr. Mellett was reconsidered.

Mr. Claypool withdrew his amendment by unanimous consent.

The question recurring upon the adoption of the resolution as offered by Mr. Mellett,

The same was agreed to.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Murray presented a petition from sundry citizens of Elkhart county, Indiana, asking the enactment of a law similar to the law of Wisconsin, to regulate and license the keeping of dogs,

Which,

On motion,

Was referred to the Committee on Agriculture.

Mr. Hamilton presented a petition from sundry citizens of Indiana asking the enactment of a law for the protection of sheep from dogs,

Which,

On motion,

Was referred to the Committee on Agriculture.

Mr. Murray presented a petition from sundry citizens of Elkhart county, Indiana, asking the enactment of a law for the protection of sheep from dogs,

Which,

On motion,

Was referred to the Committee on Agriculture.

REPORTS FROM STANDING COMMITTEES.

Mr. Cobb from the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 100, "a bill to create the fourteenth judicial circuit," have had the same under consideration, and have directed me to report the same back, and recommend its passage.

The report was concurred in, the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Stone from the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:

The Committee on Roads and Highways, to whom was referred the following:

Resolved, That the Committee on Roads and Highways be, and they are hereby, instructed to so alter (by bill) the law relating to the change in highways that when any person shall petition for a change in any highway that shall only pass upon his own land, and if the viewers of such change shall report that such change is not of public utility, then, and in that case, the petitioner shall open such change at his own expense,

Have had the same under consideration, and directed me to report an amendment to section fifteen, chapter forty-eight, Revised Statutes, and recommend its passage.

The report was concurred in, and

Senate bill No. 129. A bill to amend section fifteen of an "act to provide for the opening, vacation and change of highways," approved June 17, 1852, therein contained,

Was read a first time and passed to a second reading on to-morrow.

Mr. Hull from the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on Roads and Highways, to whom was referred a resolution of the Senate instructing said committee to inquire into the expediency of amending the nineteenth, twenty-second and twenty-

third sections of Revised States, regulating the opening, change and vacation of public roads and highways, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate, and say, in the opinion of said committee, no further legislation is necessary on the subject matter of the resolution,

Which was concurred in.

BILLS INTRODUCED.

Mr. Miller introduced

Senate bill No. 130. A bill to amend section eleven of an act entitled "an act touching the laying out and vacating public squares and grounds, or any part thereof; the making out and recording of plats of such towns, and providing for the change of the names of such towns,"

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Mellett introduced

Senate bill No. 131. A bill to repeal an act entitled "an act to amend the one hundred and thirty-eighth section of an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852, approved March 7, 1857, and to assist in the settlement of the estates of decedents.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Mellett introduced

Senate bill No. 132. A bill to repeal sections one hundred and seventeen, and one hundred and eighteen, of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Beeson introduced

Senate bill No. 133. A bill to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within cities and towns, and for making allowances

out of the Treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 134. A bill to license dogs and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Landers introduced

Senate bill No. 135. A bill declaring commission merchants, attornies at law, and railroad conductors, who shall commit a breach of trust to be guilty of a felony, and defining the punishment therefor.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Newcomb introduced

Senate bill No. 136. A bill to amend section six of an act entitled an act providing for the organization of county boards and prescribing some of their powers and duties.

Which was read a first time, and passed to a second reading tomorrow.

Mr. Miller introduced

Senate bill No. 137. A bill repealing an act entitled "an act providing for voluntary assignments of personal and real property, in trust for the benefit of creditors, and regulating the mode of administering the same.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. March introduced

Senate bill No. 138. A bill to amend the second section of an act entitled "an act to amend the two hundred and seventh and two hundred and eighth sections of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform

mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, so as to authorize a change of venue in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Shoulders introduced

Senate bill No. 139. A bill to amend the 5th section of an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing the provisions of this act.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Lomax introduced

Senate bill No. 140. A bill supplemental to an act entitled "an act providing for the colonization of negroes and mulattoes and their descendants, and appropriating five thousand dollars therefor, constituting a State Board of Colonization, declaring the duties of said Board, and of State Treasurer and county treasurer in relation thereto," approved April 28, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Blair introduced

Senate bill No. 141. A bill to amend section thirty-four of chapter eighty-three of the Revised Statutes of 1852, and entitled "an act to provide for the incorporation of railroad companies, approved May 11th, 1852."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Miller introduced

Senate bill No. 142. A bill to authorize the Trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its cabinet and library, and the improvement of the University square in Indianapolis, and directing the State Librarian to transfer certain documents and books herein named to the library of the State University; also, making the State Geologist a member of the faculty of the University, and requiring him to deposit specimens in mineralogy and geology in the cabinet of the same.

Which was read a first time, and passed to a second reading on to-morrow.

SPECIAL ORDERS.

On motion by Mr. Anthony,

The consideration of the special order of the day, being the minority report from the Committee on Federal Relations, was postponed until Thursday next at ten o'clock, A. M., and made the Special order for that hour.

Mr. Conner introduced

Senate bill No. 143. A bill to authorize the Bank of the State of Indiana, to lay off and create five additional bank districts, and to locate and establish branches therein.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Newcomb introduced

Senate bill No. 144. A bill to amend the sixth section of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the treasurer and Auditor of State," approved June 21, 1852, so as to exempt certain property therein named from taxation.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Newcomb introduced

Senate bill No. 145. A bill for the incorporation of companies for agricultural, horticultural and nursery purposes.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Anthony introduced

Senate bill No. 146. A bill in relation to petit jurors.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 147. A bill to repeal all laws for the organization and regulation of the militia of this State.

Which was read a first time and passed to a second reading on to-morrow.

The Senate having resumed the consideration of the subject matter pending at adjournment on yesterday, being the report from a select committee containing Senate bill No. 43 and the amendments thereto pending,

Mr. Hull moved to lay the pending amendments upon the table.

Mr. Tarkington moved to amend the motion and lay the bill and amendments upon the table.

Mr. Conner demanded a division of the question.

Pending the consideration thereof,

On motion by Mr. Conley,
A call of the Senate was ordered.

The Secretary proceeded with the call, when

The following Senators answered to their names:

Messrs. Anthony, Bearrs, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—44.

On motion by Mr. Anthony,
A further call of the Senate was dispensed with.

The question recurring upon the motion to lay the amendment of Mr. Hull upon the table,

The ayes and noes being demanded by Senators Hull and Blair,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Claypool, Cobb, Conner, Craven, Cravens, Ferguson, Hamilton, Johnston, Landers, Lomax, Mellett, Miller, Murray, Odell, Ray, Shields, Shoulders, Slack, Stone, Wilson and Wolfe—23.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Blair, Carnahan, Conley, Dickinson, Grubb, Hull, Jones, Line, March, Newcomb, O'Brien, Robinson, Steele, Studabaker, Tarkington, Teegarden, Turner, White and Williams—21.

So the amendment was laid upon the table.

The question recurring upon the motion to lay upon the table the amendment of Mr. Conner,

The same was agreed to.

The question recurring upon the motion to lay Senate Bill No. 43 upon the table,

The ayes and noes having been demanded by Senators Conley and Tarkington,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Blair, Carnahan, Cobb, Conner, Craven, Cravens, Dickinson, Jones, March, Murray, Odell, Robinson, Slack and Tarkington—16.

Those who voted in the negative were,

Messrs. Beeson, Berry, Claypool, Conley, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, Mellett, Miller, Newcomb, O'Brien, Ray, Shields, Shoulders, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, Wilson and Wolfe—28.

So the bill was not laid upon the table.

The question recurring upon the motion to concur in the report of the committee,

Mr. Anthony moved to refer the bill and pending amendments to the Committee on the Judiciary, with instructions to inquire into the constitutionality of said bill, and to append such amendments as will prevent litigation which may arise by the repeal of acts heretofore passed upon the same subject.

Mr. Slack offered the following additional instructions:

Recommit the bill with the following instructions:

Amend the bill so as to provide that all cases consummated or

pending in any of the courts of this State, whereby new counties have been formed or where proceedings are pending for the formation of new counties or changing of county boundaries, either under the acts of 1857 or 1859, shall not be affected by the passage of this bill.

On motion by Mr. Hull,

The motion to refer the bill with pending instructions, to the Committee on the Judiciary, was laid upon the table.

The question recurring upon the motion to concur in the report of the committee,

Mr. Conner offered the following amendment:

Amend by inserting in the proper place, "Provided, however, that nothing in this act shall be so construed as to affect in any manner, whatever, any proceedings had and pending before any board of county commissioners, or other court, under an act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857.

Mr. Shields moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Murray and Shields,

Those who voted in the affirmative were,

Messrs. Berry, Claypool, Conley, Hull, Johnston, Landers, Lomax, Miller, Shields, Shoulders, Steele, Stndabaker, Teegarden, Turner, Williams, Wilson and Wolfe—17.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Carnahan Cobb, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Jones, Line, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Slack, Stone, Tarkington and White—28.

So the motion to lay upon the table was not agreed to.

Mr. Turner offered the following amendment to the amendment:

Amend the amendment by inserting in the proper place, "but nothing in this proviso shall be so construed as to apply to cases where petitions for the change of county boundaries have been filed before any board of county commissioners, and no other or further proceedings whatever have been had.

Mr. Newcomb moved to re-commit the bill with the pending amendments to the Committee on the Judiciary.

Which was agreed to.

Mr. Turner offered the following instructions:

Amend by inserting in the proper place, "Reduced below the area of four hundred square miles, and no county now organized, which shall contain a less area than four hundred square miles, shall be further reduced."

Mr. Hull offered the following additional instructions:

Amend the amendment by adding to the saving clause, "that any section, township, or part of a township, may remain within their present limits or boundaries, by petitioning the county commissioners, and upon such petition being made and signed by a majority of the legal voters in such section, township, or part of a township, and presented at the regular adjourned or called meeting of the county board, said county board shall not change the present county relations of such section, township, or part of a township so petitioning.

SEC. 2. It is hereby declared that an emergency exists for the immediate taking effect of this act; it shall therefore take effect and be in force from and after its passage.

Mr. Ray offered the following additional instructions:

Provided that this act shall not in any wise affect any consummated or pending proceeding to organize any new county under the law where the establishment of such new county has been finally acted upon by all the boards of county commissioners interested therein, and acquiesced in by the counties interested, or any case where an apyeal has been taken and the proceedings have been affirmed by the Supreme Court of the State.

Mr. Cobb offered the following additional instructions:

Amend by inserting the following section:

SEC. —. That nothing in this act shall be so construed as in any wise to affect pending proceedings commenced under the law of 1857, when the same has been prosecuted to judgment before the county boards of the counties interested, and such judgment or judgments of said board or boards have been confirmed by the Supreme Court on appeal.

Mr. Miller offered the following additional instructions:

Inquire into the expediency of amending in the proper place, by inserting as follows: "and all proceedings commenced, or now pending, before the boards of county commissions of any county for a change of boundary shall be discontinued, and no further action shall be taken upon the same.

On motion by Mr. Murray,

The Order of Business was suspended, and

Mr. Murray offered the following resolution:

Resolved, That the Committee on Agriculture be instructed to report to this Senate the average cost to the State of the publication and transportation of the Indiana Agricultural Reports, with the sum total expended; also, whether the publication and transportation of such reports are worth the amount of money annually appropriated for such purposes; also, whether the salaries of the officers of the State Board of Agriculture can not, without detriment to the efficiency of said board, be reduced to one-half of the present rates.

Which was agreed to.

On motion by Mr. Ray,

Leave of absence was granted to Mr. Shoulders until Monday, the 18th instant, at two o'clock P. M.

On motion by Mr. Cobb,
The Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
February 8, 1861. }

The Senate met.

The Journal of the preceding day was read.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. O'Brien presented a memorial from the Mayor and common

council of the city of Lawrenceburg, asking the passage of certain Senate bills introduced by Mr. O'Brien,

Which was referred (without reading) to the Committee on Corporations.

REPORTS FROM STANDING COMMITTEES.

Mr. Studabaker from the Committee on the Judiciary made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 25. "A bill to authorize justices of the peace, judges of courts and Mayors of cities to administer oaths generally," have had the same under consideration according to order, and have directed me to report the same, and recommend the following amendment: Insert after the word "cities," in eighth line of first section, these words: "clerks of circuit and common pleas courts, and master commissioners in their respective counties," and when so amended, recommend its passage.

Mr. Ferguson moved to amend by providing that "county auditors shall be authorized to administer oaths to road viewers, to township trustees, and to justices of the peace, in making their returns of fines,"

Which was agreed to.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. White, from the Committee on Elections, made the following report:

MR. PRESIDENT:

The Committee on Elections, to whom was referred Senate bill No. 47, a bill to amend the fifth and twenty-first sections of an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852, have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments:

Amend sections five and twenty-one as follows, and when amended recommend its passage:

Amend section five as follows:

SEC. 5. Each elector shall vote in the township, precinct or ward

in which he resides, and to constitute a residence within the meaning of this act, the elector shall reside in the State six months immediately preceding such election, the last thirty days of which he shall reside in the township, precinct or ward, immediately preceding the election at which he offers to vote, *Provided*, that a *bona fide* residence in the State of six months, and an actual *bona fide* residence in the township where he offers to vote shall constitute a residence for such elector to vote at the annual April election for township purposes.

Amend section twenty-one so as to read as follows:

"That you have been a resident of the township, precinct or ward (as the case may be,) thirty days immediately preceding such State election."

The report was concurred in, the amendments adopted, and Senate bill No. 47, contained in said report, was,

On motion by Mr. White,

Referred to the Committee on the Judiciary.

Mr. Slack, from the Committee on Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred a resolution of the Senate, inquiring by what right the dam across the Calumet River at Blue Island, in the State of Indiana, is maintained, have requested me to report that the question submitted to the Judiciary Committee is one of inextricable intricacy; that the Committee has not the time nor the means to investigate satisfactorily; therefore, they recommend that the subject matter of the resolution be referred to the Attorney General, who is eminent for his legal lore, and whose opinion thereon, it is presumed by your Committee, will be highly satisfactory and conclusive.

Which was concurred in.

Mr. Craven, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The committee to whom was referred

Senate bill No. 54, a bill regulating docket fees in the Court of Common Pleas, and providing compensation for district attorneys, with sundry instructions, have had the same under consideration, and have directed me to report the same back to the Senate with instructions to amend the second section by adding to the end of said section the following language, to wit:

S. J.—19.

But shall be paid in no case, nor shall any allowance therefor be made by the board of county commissioners, only upon claim filed before said board, specifying the case by setting out the name of the defendant, and the offense for which he may have been convicted, accompanied with the certificate of the clerk of the court in which the conviction took place, that the convicted party is insolvent, and that no fees can be collected from him.

Your committee also recommend that an additional section be added in the words, to wit:

SEC. 3. Such district attorneys shall receive no compensation from the public treasury, except as provided in this act, and on failure to attend on the trial of any cause in the Common Pleas Court, or before any justice of the peace, he shall receive no fees in such case, but the Court of Common Pleas or justice of the peace, may appoint a substitute, who shall, in such cases, receive the same fees that the prosecutor would have done had he prosecuted such case.

And your committee recommend that all other instructions be laid on the table, and that when the bill is so amended, we recommend its passage.

The report was concurred in, the amendments adopted, and Senate bill No. 54 therein contained, was ordered to be engrossed and read a third time to-morrow.

Mr. Craven, from the Committee on the Judiciary made the following report:

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 17, a bill allowing prosecuting attorneys a per centage on all moneys collected upon forfeited recognizances," have had the same under advisement, and instruct me to report the same back to the Senate, and recommend that it lie on the table, as there is another bill pending making provisions for such cases,

Which was concurred in.

Mr. Ray, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of the Courts, to whom was referred Senate bill No. 42, a bill to amend sections eight and ten of an act entitled "an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties, in civil cases," approved June 9, 1852, have had the same under consideration and instruct me to report the same back to the

Senate with a recommendation that its further consideration be indefinitely postponed,

Which was concurred in.

Mr. Claypool, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 2, entitled "an act to repeal an act entitled "an act to establish courts of conciliation, to prescribe rules and proceedings therein, and compensation of judges thereof, approved June 11, 1852," have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

Mr. Studabaker moved to recommit with the following instructions:

Recommit with instructions to so amend the bill as to repeal the tenth section of the act constituting the court of conciliation.

Mr. Carnahan moved that the bill and pending instructions be indefinitely postponed.

The ayes and noes being demanded by Senators Carnahan and Slack,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Carnahan, Conley, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, March, Miller, Murray, Odell, Robinson, Shields, Steele, Stone, Teegarden, Turner, White, and Williams—22.

Those who voted in the negative were,

Messrs. Anthony, Berry, Blair, Claypool, Conner, Craven, Dickinson, Grubb, Line, Lomax, Newcomb, Ray, Shoulders, Slack, Studabaker, Wilson, and Wolfe—17.

So the bill and pending amendments were indefinitely postponed.

Mr. Conner, from the Committee on Organization of Courts made the following report:

MR. PRESIDENT:

The Committee on the Organization of the Courts, to whom was

referred a resolution requiring said committee to inquire into the expediency of abolishing the grand jury system, having had the same under consideration, have directed me to report that, in the opinion of said committee, no further legislation on that subject is necessary,

Which was concurred in.

Mr. Dickinson, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT :

I am directed by the committee on the Organization of Courts, to whom was referred Senate resolutions to inquire into the expediency of abolishing the Courts of Common Pleas, and establishing a surrogate system for probate business, in each county, report that such legislation would be inexpedient, and recommend that such legislation be indefinitely postponed,

Which was concurred in.

Mr. Hull, from the Committee on Roads, made the following report:

MR. PRESIDENT :

The Committee on Roads and Highways, to whom was referred Senate bill No. 27, a bill to enable persons objecting to the location, vacation, or change of any public highway to remonstrate against the same, have, upon consultation with the author of said bill, found the present existing law to include the legislation sought by the bill; therefore, the said committee have instructed me to report the same back to the Senate and recommend that it lie on the table.

Which was concurred in.

Mr. Beeson, chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT :

The Committee on Agriculture, to whom was referred Senate bill No. 80, a bill to repeal an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act," approved February 26, 1857, have had the same under consideration, and direct me to report said bill back and recommend that it lay upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Dickinson, from a select committee, made the following report:

MR. PRESIDENT:

I am directed by the special committee to whom was referred the matter of a law for the election of United States Senators, to report the following bill:

Senate bill No. 148. A bill providing for the election of United States Senators, and defining the duties of certain officers thereto.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Steele, chairman of a joint committee, made the following report:

MR. PRESIDENT:

The joint committee on the part of the two Houses, for the purpose of inviting Mr. Lincoln to the Capital of Indiana, beg leave to report that the reason why they have not reported on that subject before this time is, that they never have been able to obtain the timetable from the different roads between this city and Springfield until now. By authentic dispatches from Springfield we learn that the train will leave Springfield at 8 o'clock A. M. on Monday, the 11th; arrive at the State Line at 12:30 P. M.; leave the State Line at 12:50; arrive at Lafayette at 2:30; leave Lafayette at 2:40; arrive in this city at 5 P. M.

Your committee intend, in conjunction with the committee on the part of the city of Indianapolis, to publish a programme in the morning papers, to be observed on that occasion.

All of which is respectfully submitted.

G. K. STEELE,
Chairman Joint Committee.

Which was concurred in.

Leave being granted,

Mr. Jones offered the following instructions to Senate bill No. 46:

That the Judiciary Committee, to whom was referred Senate bill No. 46, be instructed to inquire into the expediency of amending the bill so as to prevent betting on elections, by requiring voters, when challenged, to answer, on oath, "whether they have wagered any sum on the result of the pending election"; an affirmative answer to disqualify him from voting.

Which was agreed to.

BILLS INTRODUCED.

Mr. Line introduced

Senate bill No. 149. A bill authorizing the Superintendents or other persons having charge of county asylums for the poor, to discharge inmates from the same, and to apprentice minors put under their care.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Claypool introduced

Senate bill No. 150. A bill to amend sections four and seven of an act entitled "an act to provide for the election, fixing the compensation and prescribing the duties of Attorney General of the State of Indiana," approved February 21st, 1855."

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Dickinson, introduced

Senate bill No. 151. A bill to amend an act, approved March 5, 1859, to amend section forty-two of an act entitled "an act to establish courts of common pleas, and define th jurisdiction and duties of, and providing compensation for, the judge thereof," approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Dickinson introduced

Senate bill No. 152. A bill to amend "an act to provide for the return of the jury in the common pleas courts at the third day of the term," approved March 5, 1859, so that the jury be returnable on the second day of the term,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Carnahan introduced

Senate bill No. 153. A bill for the relief of Catharine P. Whittlesey, &c.

Which was read a first time.

Mr. Carnahan moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Carnahan, Claypool, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoulders, Steele, Stone, Teegarden, Turner, White, Williams, Wilson and Wolfe—34.

Senator Beeson voting in the negative.

So the rules were suspended, the bill was read a second time, by its title, and

On motion by Mr. Carnahan,

Was referred to the Committee on the Judiciary.

Mr. Teegarden introduced

Senate bill No. 154. A bill to amend section four, and to repeal section seven of an act entitled "an act concerning interest on money," approved May 27, 1852,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Miller introduced

Senate bill No. 155. A bill to amend the twentieth section of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Ray introduced

Senate bill No. 156. A bill to regulate the descent and distribution of the property of adopted children,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. March introduced

Senate bill No. 157. A bill to amend the first, eleventh and twelfth sections of an act entitled "an act to exempt property from sale in certain cases," approved February 17, 1852,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Grubb introduced

Senate bill No. 158. A bill to amend the first section of "an act concerning interest on money," approved May 27, 1852,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Murray moved to reconsider the vote by which the Senate adopted the rule relative to the hour of meeting, and adjournment of the Senate.

Mr. Anthony moved to lay the motion on the table.
Which was agreed to.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

Senate bill No. 57. A bill to amend the first section of "an act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes, in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real estate, county treasurers and auditors, and of the treasurer and auditor of State," and to legalize the actions of boards of county commissioners in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate effect of this act.

Was read a third time.

Mr. Hamilton moved to recommit the bill with the following instructions:

Amend so as to confine the county commissioners on the assessment for county purposes to fifty cents on the one hundred dollars,

Which was agreed to.

On motion by Mr. Blair,

Mr Hull was granted leave of absence until Tuesday morning at nine o'clock.

Senate bill No. 60. "A bill defining certain felonies, and prescribing punishment therefor,"

Was read a third time.

Mr. Miller moved that the bill be indefinitely postponed,
Which was not agreed to.

On motion by Mr. Claypool,

The bill was recommitted to the Committee on the Judiciary, with instructions to perfect the bill.

On motion by Mr. Line,

The Order of Business was suspended, and

Senate bill No. 133. A bill to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within cities and towns, and to make allowances out of the treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases," was taken from the files, read a second time, and referred to the Committee on Agriculture.

On motion by Mr. Line,

The Order of Business was suspended, and

Senate bill No. 134. A bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs,

Was taken from the files, read a second time, and referred to the Committee on Agriculture.

On motion by Mr. Conner,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed House bill No. 152. An act to amend section nineteen of an act entitled "an act to fix the time of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process from the present common pleas courts returnable to such terms," &c., approved March 5, 1859, in which the concurrence of the Senate is respectfully requested.

House bill No. 152, contained in the foregoing message,
Was read a first time.

Mr. Conner moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Berry, Blair, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, O'Brien, Odell, Robinson, Shields, Shoulders, Steele, Stone, Studabaker, Teegarden, Turner, Williams, Wilson and Wolfe—36.

Senators Anthony and Beeson voting in the negative.

So the rules were suspended, the bill was read a second time by its title, and passed to a second reading on to-morrow.

By unanimous consent,

Mr. Shield offered the following resolution:

Resolved, That the Committee on County and Township Business, be instructed to inquire into the expediency of so amending the present law as to require county treasurers to set forth in appropriate columns in their receipts for taxes, the assessed value of each piece of land therein described, and the amount of personal property assessed against the tax payer.

Which was agreed to.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

Senate bill No. 79. A bill to amend section four of an act entitled "an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act,"

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bears, Beeson, Berry, Blair, Carnahan, Claypool, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, March, Murray, Newcomb, O'Brien, Odell, Robinson, Steele, Stone, Studabaker, Turner, White, Williams, and Wilson—29.

Those who voted in the negative were,

Messrs. Anthony, Conley, Jones, Landers, Lomax, Miller, Ray, Shields, Shoulders, Teegarden, and Wolfe—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 77. A bill to limit jurisdiction in civil actions to the county or township where one of the parties immediately liable to judgment and execution resides,
Was read a third time.

Mr. Newcomb offered the following amendment:

Insert at the end of section one, Provided, That this act shall not apply to suits pending at the time of the taking effect of this act,
Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnaham, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, March, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoulders, Slack, Steele, Stone, Studabaker, Turner, White, Williams, Wilson, and Wolfe—37.

Those who voted in the negative were,

Messrs. Claypool, Miller, and Teegarden—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 73. A bill to amend an act entitled "an act to authorize county agricultural societies to purchase and hold real estate, approved February 7, 1855,"
Was read a third time.

Mr. Wolfe moved to recommit the bill to the Committee on Agriculture, with the following instructions:

Recommit with instructions to insert a clause to legalize purchases heretofore made by such agricultural societies,
Which was agreed to.

On motion by Mr. Beeson, Mr. Tarkington was granted leave of absence until Monday next, at 2 o'clock, P. M.

On motion by Mr. Carnahan, Mr. Turner was granted leave of absence until Monday next at 9 o'clock, A. M.

A message from the House, by Mr. Wilson, an Assistant Clerk:
MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 74, "an act to fix the time of holding the Circuit Courts in the Seventh Judicial Circuit, composed of the counties of Hancock, Hamilton, Madison, Delaware, Tipton, Howard and Blackford, and repealing all laws in conflict therewith."

On motion by Mr. Conner,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
February 9, 1861. }

The Senate met.

On motion by Mr. Murray,
The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Miller presented a memorial from the Brothers of St. Joseph Notre Dame du lac,
Which was referred to the Committee on the Judiciary.

Mr. Claypool presented a petition from A. M. Davis, asking compensation for bringing certain criminals to justice,
Which was referred, without reading, to the Committee on Claims.

Mr. Claypool presented a petition from Wm. M. Smith and A. M. Davis, asking compensation for certain sums of money expended in bringing William H. Smith to justice,

Which,

On motion,

Was referred, without reading, to the Committee on Claims.

Mr. Johnston presented a petition from sundry citizens of Indiana, asking that all honorable means should be used to maintain the Union,

Which, under the rule, was referred to the Committee on Federal Relations.

On motion,

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution thereof :

Resolved, That a joint committee of eleven, seven on the part of the House, and four on the part of the Senate, be raised, to report a bill to both Houses, apportioning the State into proper Senatorial and Representative districts; and that the President of the Senate and Speaker of the House be requested to consult together before appointing said committee, so as to have each Congressional district represented on said committee.

In which the concurrence of the Senate is respectfully requested.

Which was concurred in, and

The President appointed Senators Anthony, Claypool, Wagner and Hamilton said joint committee on the part of the Senate.

Mr. Berry, chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills would respectfully report that they have compared the enrolled with the engrossed copy of Senate bill No. 74, a bill to fix the time of holding the Circuit Courts in the Seventh Judicial Circuit, composed of the counties of Hancock, Hamilton, Madison, Delaware, Tipton, Howard and Blackford, and repealing all laws in conflict therewith,

And find the same correctly enrolled.

A message from the Governor, by Mr. Holloway, his Private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 74, entitled "an act to fix the time of holding the Circuit Courts in the Seventh Judicial Circuit, comprising the counties of Hancock, Hamilton, Madison, Delaware, Tipton, Howard and Blackford, and repealing all laws in conflict therewith."

REPORTS FROM STANDING COMMITTEES.

Mr. Conner, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred the petition of sundry citizens of Jefferson county, asking the General Assembly to so amend the law regulating the jurisdiction of justices of the peace as to allow parties plaintiffs to sue either in the township where the debt was contracted or where the defendant resides, at the option of the plaintiff, have had the same under consideration, and have directed me to report that the opinion of the committee was expressed in the report on a bill upon the same subject, reported by the same committee. The committee, therefore, have directed me to report said petition back and recommend that the same be laid on the table. Which was concurred in.

Mr. Studabaker, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 117, a bill to authorize and require Clerks of Circuit Court and Common Pleas Courts to enter satisfaction of certain mortgages foreclosed in such Courts and providing compensation therefor, have had the same under consideration according to order, and direct me to report the same back, and recommend that the first section thereof be amended, adding thereto these words.

Provided, That the record in foreclosure and satisfaction thereof shall show that the whole debt secured by such mortgage has been paid.

The report was concurred in, the amendments adopted, and Senate

bill No. 117 ordered to be engrossed and read a third time on to-morrow.

Mr. Craven, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 48, a bill to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Beeson, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to which was referred Senate bill No. 59, a bill to amend the first section of an act entitled "an act for the incorporation of manufacturing companies and companies for mechanical, chemical, and building purposes, approved May 20, 1852," so as to provide for the incorporation of companies to furnish motive power to carry on such business, or to supply any city or village with water, have had the same under consideration, and direct me to report it back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Johnston, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 76, a bill to legalize the listing and assessment of property in the cities of this State, and the making out of the tax duplicates of such cities, and to authorize the treasurers and collectors of such cities to collect taxes in certain cases, on the subject of legalizing assessments made in cities, have had the same under consideration, and have directed me to return the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Murray, chairman of the Committee on Military Affairs, made the following report:

MR. PRESIDENT:

The Committee on Military Affairs, to whom was referred Senate bill No. 28, a bill for the reorganization of the Indiana militia, prescribing the duties of certain officers, providing for a military fund, and for its disbursement, for punishing failures, refusals and negligence, in connection with the service, and for the repeal of all existing laws having reference to said militia, and

Senate bill No. 72. A bill supplemental to an act entitled "an act to organize the militia, providing for the appointment and prescribing the duties of certain officers thereof, approved June 14, 1852, and repealing sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of said act, and providing for a more perfect organization of the militia, and matters properly connected therewith, have instructed me to report both bills back to the Senate, with a recommendation that they both be indefinitely postponed.

Mr. Craven, from the Committee on Military Affairs, made the following minority report:

MR. PRESIDENT:

The undersigned, members of the Committee on Military Affairs, dissenting from the views of those who have reported in favor of laying Senate bill No. 28, a bill for the Organization of the Indiana Militia, prescribing duties of certain officers, providing for a military fund and its disbursement, for punishing failures, refusals and negligence in connection with the service, and for the repeal of all existing laws having reference to said militia" on the table, would respectfully suggest, that said bill has never had even a careful reading before said committee, much less an investigation; they therefore recommend that said bill do not lie upon the table, but that it be referred to a select committee of five, with instructions to make such alterations and amendments to said bill as they, in their judgment, deem right to adapt it to the wants of the people of Indiana, and when so prepared by such committee, that they report the same back to this Senate for its action thereon.

HERVEY CRAVEN.
D. C. ANTHONY.

Mr. Slack moved a call of the Senate,
Which was not agreed to.

Mr. Conner moved to lay the reports and bills pending therein contained, upon the table.

Mr. Johnston demanded a division of the question.

The question being, shall the majority report from the Committee on Military Affairs, with Senate bills No. 28 and 72, therein contained, be laid upon the table?

The ayes and noes being demanded by Senators Slack and Ray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Craven, Cravens, Dickinson, Grubb, Miller, Newcomb, Steele, Stone, Teegarden, and White—17.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Ray, Shoulders, Slack, Studabaker and Williams—14.

There being no quorum voting,
On motion by Mr. Slack,
A call of the Senate was ordered.

The Secretary proceeded with the call, when the following Senators answered to their names:

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Lomax, Miller, Murray, Newcomb, O'Brien, Ray, Shoulders, Slack, Steele, Stone, Studabaker, Teegarden, White, and Williams—32.

Pending the call of the Senate, Senators Wolfe, March, Odell, Conley, and Mellett were excused from the call.

Pending the consideration of the motion to lay the majority reports and bills pending therein contained upon the table,

On motion by Mr. Line,
The Senate adjourned.

S. J.—20.

MONDAY, 2 o'clock, P. M., }
February 11, 1861. }

The Senate met.

The Journal of the preceding day was read.

On motion by Mr. Williams,

The further call of the Senate, pending at adjournment on yesterday, was dispensed with.

The President laid before the Senate the following communication from the Superintendent of Public Instruction:

INDIANAPOLIS, INDIANA, }
February 11, 1861. }

Honorable J. F. Miller:

Dear Sir: I deem it my duty to communicate to you, as Chairman of the Committee on Education, the reasons why I do not to-day enter upon my labors as Superintendent of Public Instruction, as required by the law, and by my commission.

Mr. Rugg, the present incumbent, refuses to give possession, claiming that the Constitution makes the term of the Superintendent two years; and that, having taken his office on the second Monday of February, 1859, which was on the fourteenth day of the month, his time will not expire until the 14th of February, 1861, some four days after the time at which I am called upon to assume the duties of Superintendent. If you think it proper, you can present this communication to the Senate as a reason for my apparent dereliction of duty.

Very respectfully,

MILES J. FLETCHER.

Which,

On motion by Mr. Miller,

Was referred to the Committee on the Judiciary, with instructions to report thereon as soon as practicable.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Tarkington presented a petition from sundry citizens of the

State of Indiana, asking the enactment of a more efficient liquor law,

Which was referred to the Committee on Temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Ray from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 153, entitled "an act for the relief of Catharine P. Whittlesey, and to vest in her certain real estate recently held by John Lindsley, late of Vanderburg county, Indiana, deceased, which has escheated to the State," have had the same under consideration, and instruct me to report the same back to the Senate, and recommend its passage.

The report was concurred in, the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 46, a bill to amend the fifty-seventh and fifty-ninth sections of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14th, 1852, introduced by Mr. Landers, have had the same under consideration and have directed me to make the following report:

Amend section 1 by striking out all after the words "less than" in line fifteen and insert the following: "five dollars, nor more than fifty dollars, be rendered incapable of voting at any election and of holding any office for the period of five years, to which may be added imprisonment in the county jail for any period not exceeding ninety days."

Strike out section 2.

Amend section 3 as follows: Strike out all after the word "passed" in the sixth line and insert the following: "shall be fined in any sum not less than ten nor more than one hundred dollars, be rendered incapable of voting at any election and of holding any office for the period of five years, to which may be added imprisonment in the county jail for any period not exceeding ninety days."

Amend section 4 as follows: Strike out the words "one hundred" in line seven and insert "fifty;" also, in the same line, strike out the word "five" and insert "one;" also, strike out all of said section

after the word "years" in the ninth line and insert the following: "to which may be added imprisonment in the county jail for any period not exceeding ninety days."

Amend section 5 as follows: After the word "than" in line seven insert the following: "one hundred nor more than."

Amend the title by making the first line read as follows: "An act to amend the fifty-seventh section of."

And when said bill is so amended, said committee recommend its passage.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred engrossed Senate bill No. 57, "a bill to amend the first section of an act to provide for the valuation and appraisement of the real and personal property and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real estate, county treasurers and auditors, and of the Treasurer and Auditor of State, and to legalize the action of boards of county commissioners in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate effect of this act," have had the same under consideration and have directed me to report the same back, with the recommendation that said amendment be laid on the table, as not being appropriate to said bill, and they recommend the passage of said bill.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Wolfe, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Resolution No. 30, introduced by Mr. Miller, in reference to the propriety of designating the several Common Pleas Court districts by numbers, and to report by bill or otherwise, have had the subject matter thereof under consideration and have directed me to report and recommend the passage of the following bill:

Senate bill No. 159. A bill declaring that the several Common Pleas districts shall be known and designated by their respective numbers, and providing what counties shall compose such districts by their appropriate numbers.

The report was concurred in, and Senate bill No. 159, contained in said report, was read a first time and passed to a second reading on to-morrow.

Mr. Beeson, chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate bill No. 133, a bill to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within cities and towns, and to make allowances out of the treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases, have had the same under consideration and directed me to report it back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. Tarkington introduced

Senate bill No. 160. A bill providing for the opening of a Normal Department in the State University, and making an appropriation therefor; and authorizing a settlement with the administrator of the estate of J. Smith, commissioner of reserved township, Gibson county, and legalizing the settlement made by the President of the Board of Trustees, with J. M. Berry, commissioner of reserved township, Monroe county.

Which was read a first time and passed to a second reading on to-morrow.

The Senate having resumed the consideration of the subject matter pending at the adjournment, being the report from the Committee on Military Affairs,

The question being, shall the majority report be laid on the table?

The ayes and noes having been demanded,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Claypool, Craven, Cravens, Culver, Dickinson, Grubb, Mellett, Miller, Newcomb, Robinson, Stone, Teegarden, Turner and White—18.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Hamilton, Johnston, Jones, Landers, Lomax, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams and Wolfe—16.

So the majority report was laid upon the table.

The question recurring upon the motion to lay the minority report upon the table,

The ayes and noes having been previously demanded,

Those who voted in the affirmative were,

Messrs. Carnahan, Ferguson, Hamilton, Johnston, Jones, Landers, Lomax, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams and Wolfe—16.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Berry, Blair, Claypool, Craven, Cravens, Culver, Dickinson, Grubb, Mellett, Miller, Murray, Newcomb, Robinson, Stone, Teegarden, Turner and White—19.

So the minority report was not laid on the table.

The question then being, shall the minority report be concurred in? It was agreed to.

And the Prssident appointed Senators _____ a select committee in accordance with said report.

On motion by Mr. Turner,

The rules were suspended, and

Mr. Turner introduced the following resolution:

WHEREAS, a joint committee of the General Assembly of the State of Ohio and the city council of Columbus, as an escort to Mr. Lincoln, are now in this city, therefore,

Be it Resolved, That they be respectfully invited to visit the Senate Chamber this afternoon, and that the Doorkeeper be directed furnish seats within the bar for their accommodation, and that a committee of three be appointed by the President to inform said committee of the passage of this resolution.

Which was adopted, and

The President appointed Senators Turner, Wagner and Ray said committee.

On motion by Mr. Carnahan,

The Order of Business was suspended, and

Mr. Carnahan offered the following resolution:

Resolved, That the Committee on Agriculture be instructed to inquire into the expediency of the purchase, by the State, of the Geological and Mineralogical collections, and Chemical and Philosophical apparatus of the late David Dale Owen, State Geologist, with leave to report by bill or otherwise,

Which was agreed to.

On motion by Mr. Tarkington,

The Order of Business was suspended, and

House bill No. 104. A bill to provide for the deficiency in the treasury by a loan of seventy-five thousand dollars from the commissioners of the sinking fund, and for the security and re-payment of the same," was taken from the table, and,

On motion by Mr. Wagner,

Made the special order for to-morrow morning at ten o'clock.

By unanimous consent, the Senate took up Senate bills on their second reading.

SENATE BILLS ON SECOND READING.

Senate bill No. 81. A bill to amend the fifty-first section of "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852,

Was read a second time, and

On motion,

Referred to the Committee on Finance.

Senate bill No. 82. A bill to repeal an act to amend the one hundred and forty-third section of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, for the election of township assessors, and prescribing the duties of certain officers," approved June 21, 1852, approved March 4, 1859,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 83. A bill assessing tax for common schools, and providing for the collection, distribution and expenditure thereof,

Was read a second a second time, and referred to the Committee on Finance.

Senate bill No. 84. A bill to amend section second of an act entitled "an act to authorize the formation of new counties, and to change the county boundaries, approved March 7, 1857,"

Was read a second time, and referred to the Select Committee on County and Township Business.

Senate bill No. 85. A bill to legalize the appraisement and assessment of property in the cities of this State, and making out and delivering of tax duplicates in the cities of this State in certain cases,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 87. A bill for the relief of sundry citizens of Jackson and Washington counties,

Was read a second time, and referred to the Committee on Swamp Lands.

Senate bill No. 88. A bill to amend sections sixty-two and seventy-one of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement, approved June 17, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 104. A bill to amend an act entitled "an act to amend the first section of an act concerning real property, and the alienation thereof, approved May 6, 1852, approved March 2, 1859, and to legalize conveyances made by Indians, negroes and mulattoes,"

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 90. A bill declaratory of the meaning of the words "final judgments," as used in section five hundred and fifty, article twenty-seven, chapter one, of "an act to revise, simplify, and abridge the rules, practices, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity, approved June 18, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 91. A bill to amend the fourth section of an act entitled "an act to establish courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof, approved May 14, 1852," and supplemental to said act, providing a penalty for the violation of said act as amended by any judge of a Court of Common Pleas in this State,

Was read a second time, and referred to the Committee on the Organization of Courts.

Senate bill No. 92. An act to empower notaries public to solemnize marriages,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 93. A bill to amend section seven of an act entitled "an act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and make all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, so as to change the times of holding said courts in Jackson county, and declaring when this act shall take effect,

Was read a second time, and referred to the Committee on the Organization of Courts.

Senate bill No. 94. A bill to provide for the collection of taxes assessed against lands and lots mortgaged to secure loans made of the Sinking Fund, Surplus Revenue Fund, Saline Fund, Congressional Township Fund, Seminary Fund, and other Public or Trust Fund, to prevent loss of the securities held by said Funds, and to repeal the eighth section of chapter six of the Revised Statutes of 1852,

Was read a second time, and referred to the Committee on Education.

On motion by Mr. Wagner,
The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
February 12, 1861. }

The Senate met.

On motion by Mr. Line,
The reading of the Journal was dispensed with.

The President of the Senate being absent,
Mr. Wagner took the Chair and called the Senate to order.

The following communication was laid before the Senate:

OFFICE INDIANAPOLIS & CINCINNATI RAILROAD, }
February 12, 1861. }

HON. JOHN R. CRAVENS,

President of the Indiana Senate—

SIR: You will please extend a cordial invitation from this Company to the members of the body over which you preside, to make a free trip from Indianapolis to Cincinnati, on this day, and return on the 13th inst. The train will leave the Union Depot in this city at 12 o'clock M., and returning, leave Cincinnati at 6 o'clock A. M., 2 o'clock P. M., or 7:30 P. M., as may suit the convenience of Senators. Return passes will be delivered on the train, which will entitle the holder to return at either of the hours designated.

Respectfully,

H. C. LORD, *President.*

Mr. Anthony offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn until Thursday morning next at 9 o'clock.

The question being, Shall the resolution be adopted?

The ayes and noes being demanded by Senators Carnahan and Line,

Those who voted in the affirmative were,

Messrs. Anthony, Conner, Craven, DeHart, Dickinson and Wagner—6.

Those who voted in the negative were,

Messrs. Beeson, Berry, Blair, Carnahan, Conley, Ferguson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Shields, Shoemaker, Shoulders, Slack, Stone, Tarkington, Teegarden, Turner, Williams, Wilson and Wolfe—31.

So the resolution was not agreed to.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Line resented a petition, and sundry papers connected therewith, from the Harrison, Trenton, Rochester and Brookville Turnpike Company,

Which were referred, without reading, to a select committee of five.

The President appointed Senators Line, March, Ferguson, O'Brien and Wilson said committee.

On motion by Mr. Shields,

Mr. Wolfe was granted leave of absence until Tuesday next at 9 o'clock A. M.

On motion by Mr. Williams,

Mr. Studabaker was granted leave of absence.

On motion,

Mr. Craven was granted leave of absence during the remainder of the week.

Mr. Wilson presented a petition from sundry citizens of the State of Indiana, asking the repeal of an act to authorize the formation of new counties, and to change county boundaries,

Which was referred to the select committee on County and Township Business.

REPORTS FROM STANDING COMMITTEES.

Mr. Beeson, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to which was referred Senate bill

No. 134, a bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs, have had the same under consideration and direct me to report it back and recommend that it lay on the table.

Which was concurred in.

BILLS INTRODUCED.

Mr. O'Brien introduced

Senate bill No. 161. A bill to amend the twelfth section of an act entitled "an act for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17th, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. DeHart introduced

Senate bill No. 162. A bill to provide for the execution of conveyances by commissioners, in the case of deceased vendors of real estate.

Which was read a first time and passed to a second reading on tomorrow.

Mr. DeHart introduced

Senate bill No. 163. A bill to amend section four hundred and sixty-seven of "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Which was read a first time, and passed to a second reading tomorrow.

Mr. Carnahan introduced

Senate bill No. 164. A bill to authorize administrators and executors to administer oaths to appraisers and clerks who may be employed in connection with decedents' estates,

Which was read a first time and passed to a second reading on tomorrow.

Mr. Berry introduced

Senate bill No. 165. An act to amend section twenty-six of an

act entitled "an act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852,

Which was read a first time and passed to a second reading on tomorrow.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate bill No. 95. A bill to provide for the sale and conveyance of property by sheriffs of counties, when judgments are rendered and executions issued, owned by corporations lying therein, and extended through, and being in, more than one county; and to enlarge the jurisdiction and powers of sheriffs, and to provide for the mode of giving the notice of such sale,

Was read a second time, and referred to the Committee on the Judiciary.

Leave being granted,

Mr. Conner offered the following resolution:

Resolved, That a committee of five on the part of the Senate be appointed to accompany His Excellency Abraham Lincoln, the President elect of the United States, to the State of Ohio, in his tour to Washington.

The question being, shall the resolution be adopted?

The ayes and noes being demanded by Senators Carnahan and Murray,

Those who voted in the affirmative were,

Messrs. Berry, Blair, Claypool, Conner, Craven, DeHart, Dickinson, Ferguson, Hamilton, Hull, Jones, Line, March, Mellett, Newcomb, Odell, Ray, Shields, Shoemaker, Slack, Tarkington, Wagner, White and Williams—24.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Carnahan, Conley, Grubb, Johnston, Landers, Lomax, Miller, Murray, Robinson, Shoulders, Stone, Teegarden, Turner, Wilson and Wolfe—17.

So the resolution was agreed to.

The President appointed Senators Claypool, Ray, Bearss, Jones and Miller said committee of escort.

Mr. Conner, on his motion, was excused from serving on the committee contemplated by the foregoing resolution.

SPECIAL ORDER.

The Senate having resumed the consideration of the special order of the day, being

House bill No. 104. A bill to provide for the deficiency in the treasury by a loan of seventy-five thousand dollars from the commissioners of the sinking fund, and for the security and repayment of the same.

Mr. Newcomb moved to postpone the further consideration of the bill until to-morrow morning at ten o'clock,
Which was agreed to.

Mr. Miller moved that the Senate adjourn until twelve o'clock M., to-day,
Which was not agreed to.

By unanimous consent,
Mr. Robinson offered the following resolution:

Resolved, That the Auditor of State communicate to the Senate whether the late treasurer of State accounted to the Auditor of State and paid into the State Treasury any money received by him as interest on the deposit of the funds of the State, from the fifth day of March, 1859, up to the time of his going out of office, as required by the third section of an act entitled "an act relative to the salaries of public officers, and providing for the manner of paying the same, and the manner of reimbursing the State, for an increase of salaries," approved March, 1859, and if so, what sum he so accounted for, and carried to the credit of the State,

Which was agreed to.

Senate bill No. 96. A bill relating to judgments upon instruments of writing containing a promise to pay money without relief from appraisement laws,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 98. A bill to amend the thirteenth and fourteenth sections of an act entitled "an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases.

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No 99. A bill to repeal section seventy-three of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of the State, approved June 21, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 101. A bill to amend section one hundred and sixty-eight of "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

On motion by Mr. Mellett,
The Senate adjourned.

WEDNESDAY MORNING, 9 O'CLOCK, }
February 13, 1861.

The Senate met.

The Journal of the preceding day was read.

The President laid before the Senate the following communication from the Superintendent of the Institute for the Blind:

INSTITUTE FOR THE BLIND, }
February 11, 1861.

To the Honorable J. R. Cravens, President of the Senate:

SIR: Please announce to the honorable body over which you pre-

side, that in obedience to a resolution of the House of Representatives, there will be an exhibition of the proficiency of the pupils under my charge, in the hall of this Institute, on Friday the 15th instant, at three o'clock, P. M., to which the members of the Senate are respectfully invited.

Very respectfully,

J. M. WORKMAN,
Superintendent.

On motion by Mr. Line,

The invitation was accepted.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Campbell presented a petition from sundry citizens of Indiana, asking the passage of a bill accompanying said petition,

Which was referred, without reading, to the Committee on the Judiciary.

Mr. Bearss presented a petition from sundry citizens of Fulton county, Indiana, on the State of the Union,

Which was referred, under the rule, to the Committee on Federal Relations.

Mr. White presented a petition from sundry citizens of Montgomery county, Indiana, asking the enactment of a law establishing six per centum as the legal rate of interest, and allowing any rate not exceeding ten per centum on special contracts,

Which was referred to the Committee on Finance.

Mr. Hull presented a petition from J. C. Kennedy,
Which,

On motion by Mr. Hull,

Was referred, without reading, to a select committee of three.

The President appointed Senators Hull, March and Cobb, said select committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Slack, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred the petition of Michael Roup, presented by Mr. O'Brien, have had the same under consideration, and have directed me to make the following report:

The petitioner, as he represents, is imprisoned in the jail of Dearborn county, and has been since May last, for failing to comply with an order of the Dearborn Circuit Court in a prosecution for bastardy under the statute of 1852; and he alleges that by reason of his poverty he is wholly unable to either pay or give surety for the payment of the judgment rendered against him. And said committee are of the opinion that there is no law for the discharge of defendants in such cases; and to remedy that defect, they have directed me to report and recommend the passage of the following bill:

Senate bill No. 166. A bill supplemental to "an act regulating prosecutions in cases of bastardy, and providing for the the support of illegitimate children," approved May 6, 1852, so as to provide for the discharge of defendants from prison in certain cases, and declaring an emergency for the immediate taking effect of this act.

The report was concurred in, and Senate bill No. 166, therein contained, was read a first time and passed to a second reading on to-morrow.

Mr. Beeson, from the Committee on Corporations made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 85, entitled "an act to legalize the appraisement and assessment of property in the cities of this State, and the making out and delivering of tax duplicates in the cities of this State, in certain cases, have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. Turner introduced

Senate bill No. 167. A bill to provide for laying out and repairing highways upon the line between Indiana and adjoining States,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Dickinson introduced

Senate bill No. 168. A bill to enable guardians of the minor heirs
S. J.—21.

of deceased persons to execute conveyances of real estate, in pursuance of contracts made in relation thereto by deceased owners,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Beeson introduced

Senate bill No. 169. A bill to amend the sixth section of an act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been incorporated in this State for any of the purposes contemplated in said act with a fixed amount, or limitation of capital, may increase the same, by a vote of its stockholders, in the same manner as is provided in said section for increasing capital stock.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Newcomb introduced

Senate bill No. 170. A bill to amend the first, second, third and fourth sections of an act entitled "an act for the protection of the trust and other funds of this State, and to provide for the substitution of mortgages, and prescribing the punishment of officers who loan a greater amount of said funds than is authorized by law," approved March 2, 1855.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Slack introduced

Senate bill No. 171. A bill to repeal an act entitled "an act to provide for the return of the jury in the common pleas court at the third day of the term," approved March 5, 1859.

Which was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Line,

The order of business was suspended, and

Mr. Line presented a memorial from Samuel L. Rugg,
Which was referred to the Committee on the Judiciary.

Mr. Wagner introduced

Senate bill No. 172. A bill providing for the binding of printed matter, ordered by the State, to be bound in book form.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Lomax introduced

Senate bill No. 173. An act to provide for the election of delegates to a general convention of the States, should such election and convention be called for by the Congress of the United States.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Ferguson introduced

Senate bill No. 174. A bill declaring that sales of land heretofore made by sheriffs, under execution, without a previous appraisement of the rents and profits, shall not be considered void on account of such failure; and to prevent such sales from being set aside in certain cases.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Slack introduced

Senate bill No. 175. A bill to amend section forty-two of an act entitled "an act to establish courts of common pleas, and defining the jurisdiction and duties of, and providing compensation for, the judges thereof," approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof, and the act amendatory thereto, approved March 5, 1859.

Which was read a first time and passed to a second reading on to-morrow.

On motion by Mr. Williams,

The Order of Business was suspended, and

The Senate took up the following House messages:

MR. PRESIDENT:

I am directed by the House of Representative to inform the Senate that the House has passed the following engrossed House bill: Bill No. 119. "An act concerning the State, county, township and road tax of the counties of Jasper and Newton," and respectfully request the concurrence of the Senate in the same.

Which was concurred in, and

House bill No. 119, therein contained,

Was read a first time and passed to a second reading on to-morrow.

MR. PRESIDENT :

I am directed to inform the Senate that the House has passed the following engrossed House bill No. 1. "A bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State," in which the concurrence of the Senate is respectfully requested.

Which was concurred in, and

House bill No. 1, contained in the foregoing message,

Was read a first time and passed to a second reading on to-morrow.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has, conformably to a concurrent resolution of the same, appointed Messrs. Cameron of the Ninth, Branham of the Third, Burgess of the Sixth, Grover of the Fourth, Brett of the First, McLean of the Seventh and Hayes of the Eleventh Congressional Districts, a committee on the part of the House to co-operate with the similar committee of the Senate, to report a bill to re-district the State into Senatorial and Representative districts.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following resolution :

Resolved by the House (the Senate concurring), That the standing committee on Swamp Lands appointed by the House, and the standing committee on Swamp Lands appointed by the Senate, shall form a committee of conference, to confer and determine on the best plan to be adopted for a full inquiry into the alleged frauds concerning Swamp Lands, and fix on some plan for a full and complete examination of the matter, especially the validity of all Swamp Land certificates, and report as soon as possible.

In which the concurrence of the Senate is requested.

Which was concurred in.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill No. 86 thereof :

An act to amend sections eight and ten of an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9th, 1852.

In which the concurrence of the Senate is requested.

Which was concurred in, and House bill No. 86, contained in the foregoing message, was read a first time and passed to a second reading on to-morrow.

SPECIAL ORDERS.

The hour having arrived,

The Senate proceeded to the consideration of House bill No. 104, a bill to provide for the deficiency in the Treasury by a loan of seventy-five thousand dollars from the Commissioners of the Sinking Fund, and for the security and repayment of the same,

Which was made the special order for to-day at 10 o'clock, A. M.

On motion by Mr. Carnahan,
A call of the Senate was ordered.

The Secretary having proceeded with the call,

Those who answered to their names were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Odell, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams and Wilson—36.

On motion by Mr. Williams,
Mr. Shields was excused from the call.

On motion by Mr. Carnahan,
A further call of the Senate was dispensed with.

Mr. Tarkington moved to recommit the bill to the Committee on Finance, with the following instructions:

Recommit with the following instructions: That the bill be so amended as to borrow the amount contemplated in the bill from the Bank of the State, and that they report by bill to-morrow mornin

Mr. Wagner moved to lay the motion on the table.

The ayes and noes being demanded by Senators Tarkington and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Conley, Conner, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Landers, March, Mellett, Newcomb, Shoemaker, Shoulders, Slack, Steele, Stone, Turner, Wagner and White—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Ferguson, Johnston, Line, Lomax, Murray, O'Brien, Odell, Robinson, Tarkington, Teegarden, Williams and Wilson—14.

So the motion to recommit was laid upon the table.

Mr. Anthony demanded the previous question, which was not seconded.

The question being, Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Conner, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Newcomb, Robinson, Steele Stone, Turner, Wagner and White—22.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Line, Lomax, Murray, O'Brien, Odell, Shoemaker, Shoulders, Slack, Tarkington, Teegarden, Williams and Wilson—18.

So the bill did not pass.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate bill No. 103. A bill to enable minors whose lands have been sold on an application by the guardian during minority, to prose-

cute an appeal from the order of sale and confirmation at any time within three years after arriving at full age,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 105. A bill to provide for the location, vacation, or change of public highways, for the assessment of damages sustained by such location, vacation, or change, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of "An Act to provide for the opening, vacation, and change of highways," approved June 17th, 1852.

Was read a second time, and referred to the Committee on Roads.

Senate bill No. 106. "A bill to provide for settlement and compromise by partners and joint debtors with creditor or creditors."

Was read a second time and referred to the Committee on the Judiciary.

On motion by Mr. Slack,
The rules were suspended, and the Senate took up

House bill No. 152. A bill to amend section nineteen of an act entitled "An Act to fix the time of holding the Common Pleas Courts in the several Counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, &c.," approved March 5, 1859,
Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, Odell, Robinson, Shoemaker, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wilson—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 107. A bill for the relief of the heirs of Michael O'Brien, deceased.

Was read a second time, and ordered to be engrossed and read a third time to-morrow.

Senate bill No. 108. A bill entitled "an act to allow county commissioners to organize turnpike companies, where a majority of persons representing the real estate within prescribed limits petition for the same; and levy tax for its construction, and provide for the same to be free,

Which was read a second time, and

On motion,

Referred to the Committee on County and Township Business.

Senate bill No. 109. A bill to amend the first section of an act entitled "an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons; defining the powers and duties of such guardians; declaring void the contracts of persons of unsound mind, and providing further restraints when necessary," approved May 29, 1852.

Was read a second time, and referred to the Committee on the Judiciary.

A message from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Joint Resolution of the Senate, without amendment, to-wit:

Senate Joint Resolution No. 8. A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage of a homestead bill.

Senate bill No. 110. A bill providing for the appointment of notaries public, defining their powers and duties, prescribing their fees; and repealing all former acts in relation thereto.

Was read a second time, and

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 111. A bill to amend section twenty-three of an act entitled "an act for the relief of the Indiana University, and to increase and extend its benefits by providing for the sale of lands granted by the United States for the use of the said University, regulating the application of the proceeds of the sale thereof, and prescribing the duties of the officers therein mentioned in relation thereto," approved March 2, 1859,

Was read a second time, and referred to the Committee on Education.

Senate bill No. 112. A bill to regulate the remission of fines and forfeitures, and to repeal all laws conflicting with the provisions of this act,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 113. A bill to amend the one hundred and forty-fourth section of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 116. A bill to amend section seven of an act entitled "an act to provide for the election of a reporter and a speedy publication of the decisions of the supreme court, and for the compensation of such reporter," approved February 5, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 119. A bill to amend section six of an act entitled "an act touching the laying out and vacating towns, streets, alleys, public squares and grounds, or any part thereof; the making out and recording of plats of such towns, and providing for the change of the names of such towns," approved May 20, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 120. A bill supplemental to an act entitled "an act to repeal all general laws now in force for the incorporation of cities; to prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 122. A bill to provide for the establishment of private roads on the dividing lines between the lands of adjoining proprietors,

Was read a second time, and referred to the Committee on Roads.

Senate bill No. 123. A bill to amend section six hundred one of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to

abolish distinct forms of actions at law, and provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 124. An act to authorize Circuit Courts to hold adjourned and special terms, and to fix the compensation of judges and prosecuting attorneys therefor, and to legalize such terms heretofore held,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 126. A bill to repeal so much of an act entitled "an act to provide for equalizing the appraisement for taxation of the real property of the State of Indiana," approved May 28, 1852, as authorizes holding District and State Boards of Equalization,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 127. A bill authorizing county auditors to issue fee bills,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 129. A bill to amend section fifteen of an act to provide for the opening, vacating and change of highways, approved June 17, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 130. A bill to amend section eleven of an act entitled "an act touching the laying out and vacating towns, streets, alleys, public squares, and grounds, or any part thereof, the making out and recording of plats of such towns, and providing for the change of the names of such towns,"

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 131. A bill to repeal an act entitled "an act to amend the one hundred and thirty-eighth section of an act entitled" "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement, approved June 17, 1852," approved March 7, 1857, and to assist in the settlement of the estate of decedents,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 132. A bill to repeal section one hundred and seventeen and one hundred and eighteen of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement, approved June 17, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 135. A bill declaring commission merchants, attorneys at law, and railroad conductors who shall commit a breach of trust, to be guilty of felony, and defining the punishment therefor,

Was read a second a second time, and referred to the Committee on Finance.

Senate bill No. 136. An act to amend section six of an act entitled "an act providing for the organization of county boards, and prescribing some of their powers and duties, approved June 17; 1852,"

Was read a second time, and referred to the Committee on the Organization of Courts.

Senate bill No. 137. A bill repealing an act entitled "an act providing for voluntary assignment of real and personal property in trust for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1859,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 138. A bill to amend the second section of an act entitled "an act to amend the two hundred and seventh and two hundred and eighth sections of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1859,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 139. An act to amend the 5th section of an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing the provisions of this act," approved March 5, 1859,

Was read a second time, and referred to the Committee on Temperance.

Senate bill No. 140. A bill supplemental to an act entitled "an act providing for the colonization of negroes and mulattoes and their

descendants, and appropriating five thousand dollars therefor, constituting a State Board of Colonization, declaring the duties of said Board, and of State Treasurer and county treasurer in relation thereto, approved April 28, 1852,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 141. A bill to amend section thirty-four of chapter eighty-three of the revised statutes of 1852, and entitled "An Act to provide for the incorporation of railroad companies," approved May 11th, 1852.

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 142. A bill to authorize the Trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its Cabinet and Library, and the improvement of the University square in Indianapolis, and directing the State Librarian to transfer certain documents and books herein named, to the Library of the State University; also making the State Geologist a member of the faculty of the State University, and requiring him to deposit specimens of Mineralogy and Geology in the cabinet of the same.

Was read a second time, and referred to the Committee on Education.

Senate bill No. 143. A bill to authorize the Bank of the State of Indiana to lay off and create five additional Bank Districts, and to locate and establish branches therein.

Was read a second time, and referred to the Committee on Banks.

Senate bill No. 144. A bill to amend the sixth section of an act entitled "An Act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State," approved June 21st, 1852, so as to exempt certain property, therein named, from taxation.

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 145. A bill for the incorporation of companies for Agricultural, Horticultural, and Nursery purposes.

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 146. A bill in relation to Petit Juries.

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 147. A bill to repeal all laws for the organization and regulation of the militia of this State.

Was read a second time and referred to the select committee on Military Affairs.

Senate bill No. 148. A bill providing for the election of United States Senators, and defining the duties of certain officers thereto.

Was read a second time, and referred to the Committee on Federal Relations.

Senate bill No. 149. A bill authorizing the superintendents or other persons having charge of County Asylums for the poor to discharge inmates from the same, and to apprentice minors put under their care.

Was read a second time, and referred to a select committee, consisting of Messrs. Line, Conner, and Beeson.

Senate bill No. 150. A bill to amend sections four and seven of an act entitled "an act to provide for the election, fixing the compensation and prescribing the duties of Attorney General of the State of Indiana," approved February 21st, 1855."

Was read a second time.

Mr. Newcomb moved to amend the bill as follows:

Amend the proposed amended section by striking out "five dollars," and insert "ten dollars" for a docket fee.

Mr. March offered the following additional amendment:

Amend by adding to the amended section these words: "Such docket fees shall in no case be paid by the State."

On motion by Mr. March,

The bill and pending amendments were referred to the Committee on the Judiciary.

Senate bill No. 125. A bill to subdivide tracts of land in the reserved townships in the counties of Monroe and Gibson,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 151. A bill to amend an act, approved March 5, 1859, to amend section forty-two of an act entitled "an act to establish courts of common pleas, and define the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof.

Was read a second time and referred to the Committee on organization of Courts.

Senate bill No. 152. A bill to amend "an act to provide for the return of the jury in the common pleas courts at the third day of the term," approved March 5, 1859, so that the jury be returnable on the second day of the term,

Was read a second time, and referred to the Committee on the organization of Courts.

Senate bill No. 102. A bill to amend sections twenty-one and twenty-two of "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852, so as to define adultery, fornication and public indecency, and to provide punishment therefor,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 154. A bill to amend section four, and to repeal section seven of an act entitled "an act concerning interest on money," approved May 27, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 155. A bill to amend the twentieth section of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852.

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 156. A bill to regulate the descent and distribution of the property of adopted children,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 157. A bill to amend the first, eleventh and twelfth sections of an act entitled "an act to exempt property from sale in certain cases," approved February 17, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 158. A bill to amend the first section of "an act concerning the interest on money," approved May 27, 1852,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 159. A bill declaring that the several common

pleas districts shall be known and designated by their respective numbers, and providing what counties shall compose such districts by their appropriate numbers,

Was read a second time, and referred to a select committee consisting of Messrs. Anthony, Claypool, Miller, Ray and Cobb.

Senate bill No. 160. A bill providing for the opening of a normal department in the State University, and making an appropriation therefor, and authorizing a settlement with the administrators of the estate of J. Smith, commissioner of reserved township, Gibson county, and legalizing the settlement made by the President of the board of trustees with J. M. Berry, commissioner of reserved township, Monroe county,

Which was read a second time.

Mr. Tarkington moved to amend by adding the following :

“And that the real estate taken by said Wilson of said Berry in such settlement be sold, and the said board of trustees are hereby authorized to sell said real estate, upon such terms and conditions, and at such times, as will best promote the interest of the University, and shall appoint some member of their board to convey such real estate to the purchaser or purchasers of the same, upon final payment of the purchase money; *Provided*, that if said lands are sold on credit, the unpaid purchase money of such sales shall draw ten per cent. interest per annum till paid.

On motion by Mr. Tarkington,

The bill and pending amendment was
Referred to the Committee on Education.

On motion by Mr. Line,
The Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
February 14, 1861. }

The Senate met.

The Journal of the preceding day was read.

The President laid before the Senate the following communication and accompanying report from the Superintendent of Public Instruction :

DEPARTMENT OF PUBLIC INSTRUCTION.

OFFICE OF SUPERINTENDENT, }
Indianapolis, February 13, 1861. }

Hon. J. R. Cravens, President of the Senate:

Sir: Please permit me to present herewith through you to the body over which you preside, my official report as Superintendent of Public Instruction, which is the ninth annual report from this Department.

There is an appendix to said report containing the usual statistical tables, the printing of which is not yet completed, and hence it does not appear herewith.

Your obedient servant,

SAMUEL L. RUGG,
Superintendent of Public Instruction.

To the General Assembly of the State of Indiana:

GENTLEMEN:—In obedience to the law, I present to your body my annual report, as Superintendent of Public Instruction.

I have visited within the past year nearly all the counties in the State, for the purpose of attending therein to the duties devolved on me under the law; the result of which has been to furnish experience and observation in the practical administration of the common school system of the State, and to enable me to notice imperfections which exist in the operation thereof, and to inquire as to their appropriate correction, with a view to the suggestion of such correction, to the General Assembly, as I am required by law to do.

To said report is appended the statistical tables which have been formed out of the materials reported to this department for that purpose, presenting the amount and condition of the school funds, which have been appropriated and set apart by law to the purposes of common school education, and the amount of revenue derived from said funds, and other sources of revenue, and appropriated and to be applied to furnishing tuition in the common schools of this State, and the apportionment of said revenues, to the respective counties for that purpose, and of the special school revenue for building and other school purposes than tuition. Presenting also the county auditors' abstracts of the township school reports, and a general summary by counties of said abstracts, and other tabular statements, so as to present as fully as possible, by the means at command, the condition and progress of public instruction in the State.

From the tabular statements and abstracts above referred to, I have obtained some general results and comparisons, which are here given; and I regret to say that I cannot commend them to you as being entirely full and accurate, on account of the want of reports from several counties, and of incomplete and inaccurate reports from other counties. The errors in reports are observed to have the effect almost uniformly, to reduce, instead of increase the numbers to which they relate. I say this much, so that allowances for errors may, when made, take the right direction.

GENERAL RESULTS AND COMPARISONS.

Whole number of children between 5 and 21 years of age.	512,478
Increase since previous enumeration.....	17,449
Males.....	268,394
Females.....	244,074
Number of school districts in the State.....	7,309
Increase within the year.....	76
Number of primary schools taught within the year.....	6,938
Increase within the year.....	463
Number of high schools.....	78
Increase within the year.....	5
Number of pupils attending primary schools within the year.....	297,882
Increase within the year.....	71,509
Number attending high schools.....	5,991
Increase within the year.....	849
Average attendance at each primary school.....	31
Average attendance throughout the State.....	215,078
Average attendance at each high school.....	102
Average attendance for last year was not reported	
Number of male teachers employed in primary schools.....	5,614
Increase within the year.....	320
Number of female teachers employed in primary schools...	1,611
Increase within the year.....	252
Male teachers employed in high schools.....	77
Increase within the year.....	15
Female teachers employed in high schools.....	55
Increase within the year.....	4
Average compensation per day of male teachers in primary schools.....	\$1 11
Decrease within the year.....	2
Average compensation per day of female teachers in primary schools.....	1 05
Increase within the year.....	19
Average compensation per day of male teachers in high schools.....	2 13
Average compensation per day of female teachers in high schools.....	1 31

Amount expended for tuition.....	\$485,279 00
Increase within the year.....	63,716 00
Amount apportioned in April, 1860, by Superintendent of Public Instruction.....	544,980 90
Increase over last year.....	209,244 80
Apportionment of school revenue per child... ..	1 10
Increase over last year.....	40
Average length of schools in days.....	68
Decrease within the year.....	9
Number of school houses erected within the year.....	750
Increase over last year... ..	84
Value of school houses erected within the year.....	\$324,276 00
Increase over last year... ..	31,456 00
Number of volumes in township libraries	221,523
Number of select schools	694
Decrease from last year.....	63
Number of pupils attending select schools.....	11,805
Decrease from last year.....	567
Tax collected for building and repairing school houses &c, \$381,045 57	
Increase over last year.....	21,612 00
Townships no report from but enumeration.....	51
Towns no report from but enumeration.....	39
Cities no report from but enumeration.....	4
Townships, towns and cities from which there are no re- ports of amounts expended for tuition.....	159
Townships, towns and cities from which there are no re- ports of amount of tax for building.....	248
Number of townships in the State.....	965
Number of incorporated towns in the State	101
Number of incorporated cities in the State.....	12

CONGRESSIONAL TOWNSHIP SCHOOL FUND.*

Amount of Fund at the close of last year.....	\$1,950,976 77
Amount added within the year from sale of land.....	23,000 72
Number of acres of unsold land 24,259, value thereof... ..	109,163 00
Total fund June 1st, 1860.....	2,113,943 29

COMMON SCHOOL FUND.*

Amount of Fund at the close of last year.....	\$909,632 95
Since added from fines and forfeitures.....	13,290 91
Since added from unclaimed fees	618 53
Since added by commissioners of sinking fund	236,771 80
Since added from all other sources.....	10,042 57
Total additions within the year.....	\$258,916 39
Total amount of common school fund, June 1st, 1860..	1,179,483 41
Total productive fund June 1st, 1860.....	3,184,262 70

*Six counties to be heard from.

Add unproductive fund (estimated amount).....	2,862,392 00
Total school fund provided for by law	6,046,654 00
Amount of school fund lost since 1842.....	31,986 07
Amount safely invested	2,788,225 76
Amount unsafely invested.....	40,315 28
Amount uninvested June 1st, 1860.....	35,587 09
Amount refunded within the year.....	255,788 13
Amount relaned within the year.....	326,279 46
Interest delinquent June 1st, 1860.....	50,726 02

SCHOOL REVENUE FOR TUITION.

Revenue derived from school funds within the year...	\$221,193 54
Revenue derived from liquor licenses.....	46,993 50
Delinquent school tax paid into State treasury, Oct. 1859.	38,309 25
School tax collected up to return of the delinquent list..	387,920 27
Balance of school revenues in State treasury.....	303,921 68
Total school revenue for tuition June 1st, 1860.....	998,338 24
Revenue collected for building, &c	*378,087 57
Total school revenue.....	1,376,425 81

From the foregoing statements we have evidence that the State is making good progress in the business of public instruction, and, also, that there is much to encourage us in that noble work.

We regret very much to see so large an amount of the school revenue which is collected for tuition fail to reach its appropriate object. The statement shows that there are balances of school revenue in the State treasury now amounting to \$303,921 68, which has been accumulating there for many years, under a very defective provision of the school law.

I recommend an amendment to the law, whereby further accumulations of such balances shall hereafter be prevented; and said indebtedness of the State to the schools be paid back to them in reasonable semi-annual installments, in such sums as will not be burthen-some to the State, nor produce an unhealthy inflation of the schools.

It is to be regretted, also, that said statement shows so great a difference in the amounts collected for tuition, and the amount expended for that purpose. The reports show the current year's collections to be \$694,406, and the expenditures for the current year to be \$485,297, being a difference of \$209,109 which is not accounted for by the reports. We should not hastily conclude that the large amount of this discrepancy which is not accounted for by the reports, is squandered or lost to its proper object.

On inquiring for the cause of this apparent loss, it is found that of the 1,078 school corporations of the State, the trustees of 159 of them have made no report whatever to the county auditor of the amount of school money expended by them for tuition. If we had full reports

from them our general statement of the amounts collected and expended would come much nearer balancing.

There is not a trustee in the State who has not reported to the proper county auditor, for school purposes, the enumeration of children within his jurisdiction. Their distributive share of school revenue for tuition is dependent upon their full and prompt reports of the enumeration. This is very suggestive of the appropriate remedy to secure full, accurate, and prompt reports relative to other school matters. And I recommend, with great confidence in its utility, an amendment to the school law, so as to apply the same principle to the requirement for all official reports, relative to school business.— A great deal may be said indicative of the necessity for full, accurate and prompt school reports. This necessity was more fully presented and discussed in my last annual report to the Governor, to which I respectfully invite your attention, in connection with this subject.

The amendment necessary to apply the principle above mentioned, should, I think, provide that a failure of any officer to render full, accurate and prompt reports, shall subject his city, town, township or county to a reasonable diminution of the distributive share of the school revenue for tuition, which would otherwise be apportioned to it; such diminution to be recoverable from the delinquent officer, in an action in the name of the State, for the use of the proper schools, to be brought before a justice of the peace, by any person having charge of children entitled to share in said apportionment. Such a remedy, it is thought, will be very easily applied, and very gentle, effective and safe in its application.

SCHOOL FUNDS.

Of the school fund the law makes two distinctions, to-wit: the congressional township school fund and the common school fund. The former of these belongs to the inhabitants of the congressional townships of the State, and amounts to the sum of \$2,113,943 29, and the latter belongs to the State, and amounts to the sum of \$3,932,712 41, making in all the sum of \$6,046,655 70, as the total amount of principal of school fund, which, to use the language of the constitution, "shall remain a perpetual fund, which may be increased, but shall never be diminished, and the income thereof shall be inviolably appropriated to the support of common schools, and to no other purpose whatever."

This shows for the schools of Indiana a permanent school fund, which, for amount, will compare favorably with that of any of the most favored of her sister States.

The congressional township fund consists of the unsold lands which were granted by Congress, in a special manner, to the inhabitants of the several congressional townships in the State, and of the money for which any portion of said lands have been sold, both of which, the unsold lands and the money derived from the sale of those which have been sold, are denominated by the law the congressional township school fund. The custody and care of the lands belonging to

this fund is given by the law to the township trustee of the civil township in which the lands are situated. The money belonging to said fund, the law provided, shall be loaned at seven per cent., by the county auditors of the several counties in which the money has accrued. The land belonging to said fund has not been fully satisfactorily reported, so as to enable me to state the quantity, or value of it. From the best data at command, it is estimated in the aggregate to be of the value of \$109,163. The money part of said fund, as reported by the county auditors, is \$2,004,580 29, making the whole amount of the congressional township fund the sum above stated. It is supposed that most of the lands belonging to this fund are unproductive of revenue, they being in an uncultivated condition. The productive part of this description of fund should, at seven per cent., yield annually the sum of \$140,320 of school revenue.

The common school fund consists of:

1st. The funds heretofore known and designated as the surplus revenue fund.

2d. All funds heretofore appropriated to common schools.

3d. The saline fund.

4th. The bank tax fund.

5th. The fund which has been, or may be derived from the sale of county seminaries, and the property belonging thereto, and the property and moneys heretofore held for such seminaries.

6th. All fines assessed for breaches of the penal laws of this State.

7th. All forfeitures which may accrue.

8th. All lands and other estates which shall escheat to the State for want of heirs or kindred entitled to the inheritance.

9th. All lands which have been, or may hereafter be granted to the State, where no special object is expressed in the grant, and the proceeds of the sale thereof, including the proceeds of the sales of the swamp lands granted to the State of Indiana by the act of Congress of the 28th of September, 1850, after deducting the expenses of selecting and draining the same.

10th. The taxes which may be from time to time assessed upon the property of corporations for common school purposes.

11th. The fund arising from the 114th section of the charter of the State Bank of Indiana.

12th. Unclaimed fees as provided for by law.

13th. Money derived from the sale of animals not allowed to run at large according to the 7th section of the 4th chapter, first volume, Revised Statutes.

14th. And the moneys recovered under the 19th and 20th sections of the school law.

The money derived from all these items, when considered collectively, forms one consolidated fund, which is denominated by the law the common school fund, the aggregate amount of which is \$3,932,712 41.

This fund belongs to the State, and for safe keeping and investment, is entrusted by the State to the several counties. The State

Bank sinking fund, which is among the above enumerated items, when distributed to the counties, forms a part of the common school fund, and is to be so distributed, that, when its distribution is completed, the amount of common school fund held in trust by each county shall be equalized, and proportionate to the number of children listed in each county for the purpose of common school education.

The several county auditors are charged with the loaning and management of that portion of said fund which is entrusted to their respective counties, and with the prompt collection of the annual interest or revenue accruing thereon, and derived therefrom. There is of this fund, at present held in trust by the several counties, the sum of \$1,179,483 41, which should be productive of an annual school revenue at the rate of seven per cent., making \$82,563. The residue of this fund is at present unproductive; it consists of a portion of the Bank sinking fund, which is now in process of distribution to the counties by the commissioners of the Sinking Fund.

PLANS FOR THE MANAGEMENT OF THE FUND.

The law provides that the Superintendent shall present, in his report to the General Assembly, among other things, plans for the management and improvement of the school funds. To enable me to do this duty intelligibly, I will state the condition of a large amount of these funds, which are unproductive of school revenue, the law which relates to them, and to the revenue to be derived from them, and plans for their improvement and better management.

There is nominally in the State Treasury, belonging to the common school fund, about \$80,000 00 which is not included in the foregoing statement, none of which is productive of school revenue. This portion of the common school fund has accrued, in part, from the Saline fund, in part from the Bank tax fund, in part from the United States surplus revenue, in part from estates which have escheated to the State for want of heirs, and in part from militia fines paid by persons conscientiously scrupulous of bearing arms. A portion of the saline and bank tax funds, have been distributed to the counties under the operation of an act of January 13th, 1845, leaving the sum of \$58,499 58, with interest, as the present undistributed balance of these funds, which belongs to the common school fund, and is unproductive of school revenue.

The Auditor's reports from the several counties, as far as they show losses, of the school funds show an aggregate loss of \$31,986 07 since 1842. They show also the sum of 40,315 28 which is unsafely invested, and the sum of \$35,587 09 to be on hand and uninvested on the first of June, 1860. Thus there remains of the principal of the permanent school funds, which is unproductive of income or revenue for the schools, the sum of \$173,980 07, and which ought to be producing an annual income for the schools of \$12,178.

The eighth article of the Constitution provides, among other things,

that "The principal of the common school fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of common schools, and to no other purpose whatever." "That the several counties shall be held liable for the preservation of so much of said fund as may be entrusted to them, and for the payment of the annual interest thereof;" and that "All trust funds, held by the State, shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created."

When the manner in which the unproductive portion of these funds is held is compared with the foregoing provisions of the organic law, it will be seen that the fund is diminished by losses; that the income which is required by the law from the fund, and which is inviolably appropriated to the support of common schools, and to no other purpose whatever, fails to reach the purpose for which it is thus appropriated; that the counties in which losses have occurred have nearly all failed to discharge their liability for the preservation of the fund entrusted to them, or for the payment of the annual interest thereon; and that said funds have not remained inviolate, nor been faithfully and exclusively applied to the purposes for which the trust was created.

The plans which I have to present for the improvement and better management of the fund, are :

First. With regard to the common school fund nominally in the State treasury, I recommend that it shall be either removed from its present unproductive place of investment and deposit, in the State Treasury, to some one or more of the counties, where it can be safely and profitably invested, and its income distributed among the counties, according to the 4th section of the 8th article of the Constitution. Or that a State bond shall be issued for it in favor of the proper fund, at the rate of interest at which the other school funds are invested, payable the first of October annually. If either of these plans should be adopted, the necessary details will suggest themselves to you, without their being here particularly set forth.

Second. An amendment of the law, so as to provide for a more definite and summary mode of enforcing the liabilities of the counties for the preservation of the school funds, and the prompt payment of the annual interest thereon, and such an increase of the power of the superintendent as will enable him to collect these funds, and enforce the liability for their preservation and the prompt payment of the annual interest on them, and to take such a control of these funds, and the school revenues derived from them, and from other sources, as to direct them with certainty to their appropriate object.

Third. Such amendments of the law as will add to the school fund in the county where it accrues, all money accruing from the sale of saline lands, or from estates without heirs, or from the sale of animals unlawfully running at large, according to section 7, page 103, first vol. Revised Statutes, or money accruing from unclaimed fees

which have remained unclaimed one year, instead of the direction now given to such money.

The first enactment by which the counties were made liable for the preservation of the school funds, and the payment of the annual interest thereon, was in 1842. In my efforts to obtain accounts of losses, I have not gone any farther back than that date. Since that date this provision has been several times re-enacted by the General Assembly, and incorporated by the convention into the Constitution. There never has been a statute providing for the discharge of this liability, or for its enforcement in any summary way against the counties; the only remedy being at common law.

In considering the power necessary to enforce against the counties this liability, it was found to be questionable, and not satisfactorily provided for, and hence no action has been commenced to enforce it against any of the counties in which losses have occurred.

SCHOOL REVENUE.

The law does not confer upon the Superintendent of Public Instruction any power to control the school revenues, so as to enable him to direct them with certainty to the object to which they are most solemnly, exclusively, and inviolably appropriated and set apart by the Constitution and statutes of the State. I cannot remark more pertinently on this subject than to quote from the sixth annual report from this department, substantially the language of my predecessor. He very correctly remarks: "The law does not confer upon the Superintendent any control whatever over the school revenues, either those derived from trust funds or from taxation. The school revenues are paid into the State Treasury, mixed with other revenues, and used indiscriminately with them in paying the interest on the State debt, or for current State expenses. In this way the State Treasury became indebted to the school revenue in 1856 to the amount of \$93,000. In 1857 this debt was increased \$35,000, so that there is, at the end of the year 1857, due from the Treasury to the schools, nearly \$128,000. This money should have been distributed according to law for the support of the schools. If it were on hand now, it would add one-third to the amount to be distributed this year, and thereby add one-third to the length of the schools in all the townships of the State. But over this matter the Superintendent has no more control than he has over the revenues of Russia."

Popular sentiment to some extent holds the Superintendent accountable for the faithful application of these revenues to their proper object, and it is extremely unjust to him to permit the law to remain so as to defeat him from promptly and faithfully discharging that accountability.

By means of the reports of County Auditors, and other means, it is made apparent that an unlawful practice prevails, which is co-extensive with the State, or nearly so, and of several years' standing, by which county auditors and county treasurers deduct from the in-

terest derived from the school funds certain fees or per centums, and contingent expenses, and account for the balance as school revenue for tuition. I understand this practice to be wholly unauthorized and not warranted by the law.

The third section of the eighth article of the Constitution, provides that the income of the school fund "shall be inviolably appropriated to the support of common schools, *and to no other purpose whatever.*" And the seventh section provides that "All trust funds, held by the State, shall remain *inviolable*, and be *faithfully and exclusively* applied to the purposes for which the trust was created." And the second section of the school law, after enumerating the items which shall form the common school fund, provides that the income of said fund, together with the taxes mentioned and specified in the first section of that act, shall be applied *exclusively* to furnishing tuition in the common schools of the State.

From these provisions, and several others bearing upon the subject, it is apparent that the money in question cannot be used to pay fees and expenses. It is THE income, THE tax, *the whole thing*, which is appropriated to be thus applied; and not a tithe, a moiety, a certain per cent., or net amount which may be left after the payment, indiscriminately, of fees and expenses out of it. Such payments cannot be made lawfully from it, at the county treasuries. Neither can the salary of the Superintendent, or the ordinary or contingent expenses of the department of Public Instruction, other than for tuition, be lawfully paid out of this revenue.

The right to thus retain their fees out of the interest collected, is claimed under the provisions of the ninety-third section of the school law. That section makes the allowance, and furnishes a basis upon which to determine, by calculation, the sum of the allowance, and other sections provide how the payment shall be made. The allowances are *on* and not *of* the interest mentioned, the whole of it having been inviolably appropriated, by the Constitution and the law, to another purpose.

The right to make payment of contingent and other expenses out of this revenue is claimed by some, by a kind of general assumption that all distinct revenues, or departments of service, having such revenues, ought to pay their own expenses. This there is no law to justify.

The interest of the schools, I think, requires that the Superintendent should be empowered and required to audit and adjust the settlements of the accounts of the county officers, relative to these revenues, or have such a control over the auditing and settlement of them as shall enable him to effectually prevent this unlawful practice.

Many of the County Auditors of the State have suggested to me the inadequacy of the pay for their services in managing the school funds. From my acquaintance with their services, hindrances, and responsibilities in the management of them, I must admit that their pay appears to be disproportionate, when compared either with that allowed for other services, or with the allowance to the Treasurer for

his services in relation to their management. I commend the subject to you for an increase of their pay, with a suggestion that such increase be made contingent upon the prompt and safe investment of all the funds under their management, and the punctual collection of the interest upon all investments of school funds.

SCHOOL TRUSTEES.

There are in the State 965 townships, 101 towns and 12 cities, each of which forms a distinct corporation for school purposes. The educational affairs of the townships, for administration and management, are committed by the law to the trustees of the civil townships; and the educational affairs of incorporated cities and towns, for like purposes, are committed to Boards of Trustees, which are elected by the people or appointed by the corporation. The number of trustees forming this board, and the time and manner of their election or appointment, and the length of their official term, if indicated at all, is very indistinctly indicated by the law. The effect of this indistinctness is to cause some of the towns or cities to provide for five trustees, others for three, others for one, and others for none at all. In some of the towns or cities, the school trustees are elected by the people, in others they are appointed by the corporation, and in others the council, or corporation trustees for municipal purposes, assume the school duties, and no school trustees are provided for. In some instances the school trustees of town or city have assumed the duties of treasurer of the school revenues apportioned or belonging to their town or city for school purposes. In other instances they have appointed treasurers to assume such duties, and, in other instances, they have permitted their town or city treasurer to assume such duties, and the school revenue to go to their hands, whilst neither conforms to the law on the subject, it providing that all such revenues shall be paid by county treasurers to township treasurers, upon the warrant of the proper county auditor. A similar measure of diversity extends to the administration of many other school duties, and much of the school business, of the towns and cities. I think that provisions of the law which are so indistinct as to admit of so wide a range of diversity in the administration of so important duties, ought to be amended at the earliest possible opportunity.

I respectfully submit to you the suggestion to so amend the law as to conform, as nearly as possible, the administration and management of the educational affairs of towns and cities to that of townships. It can be done by providing for the annual election of a single trustee, who shall be trustee, clerk, and treasurer for all school purposes of the corporation of the town or city in which he is elected, and require him to give a similar bond, perform similar duties, exercise similar powers and trusts, and come under similar liabilities. Instead of the present diversity of modes of doing the school business of the cities and towns, there would be one or more simple, direct, and uniform mode, equally as applicable to town or city as to the townships.

ENUMERATION FOR SCHOOL PURPOSES.

The most of the school revenue for tuition is apportioned to the counties by the Superintendent and to the townships by the county auditors, upon the basis of the enumeration of children between the ages of five and twenty-one years. It is important, therefore, that these enumerations shall be faithfully and accurately made. Such enumerations may be made to determine who may take part in school meetings and decide questions there arising by vote or otherwise.

Complaints have reached me, that, in some townships, the enumeration has included many or all persons less than twenty-one years of age, and of other irregularities in this branch of the school service. And much irregularity has also been experienced in holding school meetings, and determining who may take part in their business, and vote upon questions which come before such meetings.

An appropriate correction of such irregularities would, I think, be found in an amendment of the law so as to require the person taking the enumeration to enter upon his list thereof, the name of the parent, guardian or person at the head of each family having charge of children entitled to enumeration, in their respective townships, towns or cities, as the case may be, and against each name, in appropriate columns, to enter the number of the school to which such person is attached for educational purposes, the whole number of children in such family subject to enumeration, the number of males and the number of females. The persons thus listed as heads of families to be regarded as forming the school district, or association for school purposes, of the school to which they are thus designated by number, and be entitled to the school privileges of that school only, and be entitled also to take part in and vote at the school meetings of said school or district. Also, requiring the trustee making the enumeration to endorse on his report thereof to the proper officer an affidavit in proper form, as to the faithfulness and accuracy of the enumeration. Such amendments will tend to increase confidence in the enumeration, and relieve the township school officers from much embarrassment in determining who may take part in and vote at school meetings. These meetings are not in the nature of elections, but are strictly business meetings, the business of which is very wisely and properly committed to the persons having charge of the children forming the school, who would, by such enumerations, be plainly singled out and designated.

ESTIMATE FOR SCHOOLS.

By basing an estimate upon actual results, so far as they are to be derived from official reports, we obtain the following:

Total amount of school revenue for last year which reached the schools.....	\$651,865 40
Average length of schools in days per last report.....	68
Average cost of all the schools of the State per day as	

obtained by dividing the money spent by the average length of schools..... \$9,586 25

The number of teachers employed in all the schools of the State is 7,357, at an average compensation of \$1 30, which makes the average cost of all the schools per day nearly the same, to-wit, \$9,564 10. In the following estimate I will take the first sum as the average daily cost of tuition in all the schools:

Total number of schools in the State kept open within the year	7,016
Average sum for each school	\$92 91
Total children enumerated	512,478
Average sum expended per child enumerated	\$1 27
Total number of teachers employed in the schools of the State per reports	7,357
Average amount of money applicable to each teacher...	\$88 60
At the average rate of cost for tuition as above stated all the schools of the State, for six months or 130 days, will cost	\$1,246,212 00

I will now vary the basis of this calculation, by taking as such the whole amount of school revenue which it is possible for us to derive from the different sources of such revenue now provided for by law, instead of the amount which appears to have actually gone to the schools within the past year under the operation of the present defective provisions of the law on that subject.

If the whole of the revenue set apart by law for the payment of tuition in the schools can be carried faithfull to that purpose, without friction or loss, we would realize the following sums:

Interest on \$3,184,262 of productive school funds, at seven per cent	\$222,898 90
From \$435,000,000 of taxable property of the State, at ten cents on each hundred dollars, less collection fees	400,000 00
From 203,098 poll, less collection fees	95,457 00
From 936 liquor licenses in the State, at \$50 each	46,800 00
Total from all sources	\$765,155 90

This sum is all that can possibly be expected as an annual school revenue from the sources now provided for by law. The sum which reached the school last year as above stated, is less than this by a fraction more than fifteen per cent.

This sum, if fully realized, would, instead of 68 days, give	79
It would give an average to each school instead of \$82 91	199 05
It would give an average sum to each child enumerated instead of \$1 27	1 49

It would give on an average to each teacher instead of \$88 60.....	104 00
If six months' school is to be provided for, at the same rate of their cost last year, there will have to be added to the sum of \$765,155 above mentioned the further sum of.....	481,057 00

If an average of sixty-eight days schooling in a year is as much as the Constitution contemplates, or the people of the State desire, then no additional revenue for that purpose need be provided, for the present. But so far as I have heard the popular sentiment throughout the State on this subject, it calls for more.

I therefore, in obedience to that call, recommend an increase of the school revenue to a sum sufficient to provide for at least six months school in each year. If we take the cost of the schools for the past year as a guide for the cost of such an increase, it will be found to require as above stated the sum of \$481,057. For the available means of raising this sum I am at a loss, unless it is done mostly by an increase of tax. I therefore recommend an increase of school tax on property to twenty cents on each one hundred dollars valuation thereof, instead of ten cents; an increase of poll tax to seventy cents, instead of fifty cents, and provision for paying fifty thousand dollars per annum of the State's indebtedness to the schools.

The first measure will increase the revenue about.....	\$400,000
The second measure will increase it.....	37,800
The third measure will add for several years.....	50,000
<hr/>	
Total increase.....	\$487,800
Add it to the sum now provided for.....	765,155
<hr/>	
Will make a total school revenue of.....	\$1,252,955

Such an increase of revenue will probably provide for six months school throughout the State, but not much, if any more. It is likely that the revenue thus provided for may annually increase somewhat from regular causes, as by the increase of taxable property and polls, by the distribution of the sinking fund, and the ordinary increase of the common school fund, &c. But the ratio of such increase, it is not at all likely, will be equal to that of the school population of the State, that increase averaging for the past three years 17,213 per year.

The principle that a system of public instruction shall be supported as a State enterprise and undertaking is not seriously opposed anywhere in the State. Even those who favor an amendment to the Constitution, so as to empower municipal corporations to levy additional taxes for the support of common schools, do so, not so much to make radical changes in, or innovation upon the present educational system, as to provide for what appears to be local educational wants, in the larger towns and cities, beyond what the Legislature

has seen fit to provide. Our main dependence for sufficient revenue to support such a system must be upon tax to be levied by the General Assembly. The school funds which are now productive do not yield one fifth of the sum necessary for the support of six months school, and when all the funds become productive, they will not yield one-third of the sum which will be necessary for the support of such a school. Before passing from the subject of school revenues, I desire again to urge upon your attention the propriety of so amending the laws as to carry these revenues with more directness and certainty to their proper object, without diminution or depletion.

NORMAL SCHOOL.

I presented some remarks upon this subject in my annual report of the 16th of February, 1860, to which I respectfully invite your attention.

Next to sufficient revenue for the support of our system of public instruction, our greatest educational necessity and want is a school for the instruction and preparation of teachers for the common schools, in the arts and sciences of their profession, a school, to do in the business of teaching, that which is not done in the State University, nor in any of the other schools of the State. The State University, and most of the private universities, colleges, and high schools within the State enjoy high reputations for excellence and efficiency in their respective spheres of usefulness; yet they do not lessen our necessity for a good normal school.

Such a school would not become a competitor with other schools for their public or private patronage, nor withdraw from them their pupils or support. The full measure of favor which such other schools enjoy, and which is bestowed upon them by our enlightened community, they would still enjoy. It would no doubt tend to facilitate, and not in the least to obstruct the success of all the institutions of learning in the State, whether public or private. The schools already established in the State will alway be needed among us for the training and discipline of mind, and for directing it towards maturity in the acquisition of all useful knowledge, which shall fit their pupils for the learned professions, and all the diversified vocations of future life.

The normal should occupy and fill a place in our educational system which is not at present fully occupied by any of the other schools. Its special business should be to teach and give ample instruction in the philosophy and art of teaching, by the most approved and successful modes, and by practical exercises among the pupils of the school, and in a good model school or school for practice connected with it, tending throughout the whole course of instruction to an immediate and complete preparation for the business of successful teaching.

Such a school can never successfully become an appendage to a high school or college. That I understand to have been well tried in our own State University, and found to be impracticable. The

result of an effort in that direction in the State of New York has not been satisfactory. And the result of a similar effort in Kentucky and some of the other States has been the same as in Indiana.

Institutions for general learning, such as common schools, high schools, academies and colleges, do not fully fit their pupils for the business of successful teaching, and the ordinary professional schools come further short of accomplishing that end. It is truly said that the ordinary process of vegetation and growth cannot produce from an acorn anything but an oak. Neither can such schools produce anything but general and professional students, according to the character of the school.

Complaints have reached me from nearly all the counties in the State, of the want of qualified teachers. I am informed of many instances in which the school money is but little better than thrown away, because it is expended in the employment of persons as teachers who are not qualified to impart to their schools the required educational progress. It is a remark dictated by experience that the utilizing power of school teachers is at least doubled, by giving them a suitable normal-school education.

Our system of public instruction contemplates an expenditure for teaching in the common schools of the State, largely over a million of dollars annually. It must readily strike every one who thinks on the subject, that the measure of utility resulting to the schools, and through them to the people of the State, from the expenditure, must be proportionate to the power of the teachers employed, to impart instruction. If the teacher's power be greatly increased by suitable normal-school instruction, we may expect great and good results from the employment. If, on the contrary, a person be employed with but little fitness for such employment, we may expect the very opposite result. The true aim in the expenditure of so large an amount of money for common school instruction is to realize from the expenditure the greatest possible amount, or measure of such instruction. How is this to be done? The answer is, by the employment of competent teachers. The ready reply to this is, that there is not a supply of such teachers at command. The establishment of a good normal school for the preparation and furnishing of such a supply, is the chief and most reliable dependence for it.

The support of a good normal school will require about \$10,000 a year. Now if the State is to expend for all time to come a million of dollars annually, (more or less,) will it not be better economy to apply \$10,000 of it to the support of a good normal school, and through it to the common schools, in the form of improved teachers, and \$990,000 to them in the ordinary way, than to apply the whole million of dollars direct to the common schools with our present great want of qualified teachers? It is well settled in my mind that true economy in the expenditure of the school money, and a due regard for the success of our system of public instruction, require in connection with it, the establishment, organization and support of a good normal school.

If we expect to make progress in the business of public instruction which shall be commensurate with our outlay of money for that purpose, and with the progress which is making in that business in sister States, we must put in requisition and use all the educational agencies which will return to us the worth of our money in education, and save our cheek from blush when comparing notes with sister States.

Much may be said indicative of the necessity and utility of such schools in connection with, and auxiliary to, our school system, as at present organized. The States which are in advance of Indiana in educational matters, for such advanced position owe much to their normal schools, and other public, but minor agencies for the improvement of their teachers. Such States have realized the necessity and utility of such schools, and have them in successful operation; and shall Indiana, with such light before her, grope far in their rear?

Much may also be said as to the details of a plan for its establishment, a location, getting up of suitable buildings, organization, management, &c., but these things soon suggest themselves when a necessity for them arises.

TEACHERS' INSTITUTES.

Teachers' institutes, when established by law, and assisted by small appropriations, and under suitable management, become very salutary agencies for the improvement of teachers. I respectfully recommend their establishment in every county, and the appropriation to them of a reasonable sum, say from \$20 to \$50, payable upon suitable contingencies and conditions, from the school revenue derived from tax on property, and that their management, so far as it relates to the appointment of time and place, and procuring the services and assistance of suitable teachers and lecturers, presiding at the meetings, or the appointment of some person to preside, determining the order of proceedings and exercises, and other general matters relating to them, be committed to the school examiners of the several counties, under such enlarged jurisdiction as may be seen fit to extend to them. There appears to be a commendable fitness in connecting the business of the school examiners with that of the improvement of teachers.

I hope I shall be pardoned for here repeating my remarks to the Governor, which are now equally applicable, and relate to the subject of more complete

SCHOOL SUPERVISION.

In our school system as at present organized there is a gap in the supervision of its interests and affairs, which, if properly filled up, would contribute much to facilitate its workings, and assist in its administration. It is that which practically exists between the township trustees and the Superintendent of Public Instruction. The gap is now nominally and in part filled by the County Auditors, but prac-

tically it is very insufficiently filled. There is a portion of the duties relative to the schools now required to be performed by the County Auditors, from the performance of which they, as a body, would be very glad to be relieved.

The duties required of them by law in everything which relates to the care, management, investment, safety, and collection of the school funds, and to the collection and distribution of the school revenues, and to the reports of the same, cannot, by any means, be separated from the office of the County Auditor. But all the other school duties now required of them, and many additional ones, not now required of any officer, could, I think, with propriety and great advantage to the schools and satisfaction to the Auditors, be assigned to a suitable officer or board in each county, in such a manner that their performance would be inexpensive, and greatly facilitate the practical administration of the school system. These duties for performance might be assigned to the school examiners, who could be formed into a school board for each county. An enlargement of the jurisdiction and increase of the duties of that office would cause the incumbents to feel themselves more closely identified with the school system, and increase their zeal in behalf of the schools. They would be likely to become more assiduous in the performance of their duties, and more devoted to the interests of the schools in proportion as they become identified with their organization and the keeping of them in motion. Such a provision would not be obnoxious to the charge of an increase of the number of school officers; but in the event of this suggestion being adopted, the number of school examiners might, with safety, and without serious inconvenience to the teachers, or injury to the schools, be reduced to one instead of three, which is now in most cases the number in each county. Judging from the popular favor with which the reduction in the number of township trustees was received throughout the State, we should expect that a similar reduction in this case would meet with similar favor.

School reports, as has been before remarked, form a vital part of the school system. In point of matter they should be ample, in detail accurate, in time prompt. Such reports cannot be expected from the County Auditors. Their ordinary official duties, aside from those which relate to the schools, are very generally regarded as paramount to their school duties. With such duties they are occupied in their offices from day to day and hour to hour, and sufficient time is not left them to mingle with the subordinate officers and teachers, and to visit and inspect the schools, and accumulate the requisite data, and make these reports. They cannot do it. One or the other class of duties will be neglected. The diversity between the duties relative to the school business and those relative to the ordinary civil business of the Auditor's office, and the want of contiguity in the fields of their performance, makes it impossible for one man to faithfully perform them all. Provide for it as we may, by law, some of these duties will be neglected.

If these duties should be assigned to the examiners, many additional ones might be so assigned, with increased advantage, the prompt and faithful performance of which might be expected. The examiners could be required to visit and inspect the schools of their respective counties, and introduce greater uniformity in their organization and management, and more strict conformity to all lawful regulations, and the most approved and successful methods of imparting instruction. They could probably save to the patrons of the schools in their counties more money annually than the pay for their services would amount to, by preventing the impositions which are being practiced by itinerant agents and other persons, by the introduction of unauthorized text books, which displace the genuine and authorized series, to the confusion of the schools. They could take charge of the general interests of teachers' institutes, and appoint the time, place, and length of their meetings, and preside at them, or appoint some person to do so, and prescribe the order of business in them. They should, as at present, examine and license teachers. The proposed enlargement of their jurisdiction and increase of their duties would enable them better to discriminate in their examinations and licensing of teachers, so as to elevate the character and dignity of the profession and improve the schools. They could do much to extend the usefulness of township libraries. They might receive from the township trustees all their school reports, and report the enumeration of children to the County Auditor as the basis of his distribution of the school revenue. They might gather up the necessary information and data, and render ample and detailed reports to the Superintendent of Public Instruction, presenting a "view to life, of the labors and deficiencies, the struggles and neglects, the enterprises and sacrifices, the difficulties and disadvantages, the successes and failures," through which the schools pass in the accomplishment of their important mission in the townships, towns, and cities of the State. They should carefully observe and report as to the sufficiency or insufficiency of the rules and regulations adopted under the law for the management of the schools, to the end that they may be amended, if necessary, and made uniform, and accomplish the greatest good. If reports thus full, can be promptly rendered, with ample statistical tables, and be properly compiled, and made to form a part of the annual report from this department, and supplied to the local school authorities, they will be consulted with great interest and profit. The doings of one township, town, or city will be compared with those of another, and thus furnish information to those who desire and need it, for rendering the system more practicable, and more completely uniform throughout the State. Such reports would materially assist the Legislature in judging of the sufficiency of the school system to work out and accomplish its design, and enable that body to legislate upon the subject intelligibly whenever legislation should be found necessary.

The necessity of some amendments to the law relative to another important branch of school supervision, is such that it will probably

amount to an apology for here repeating a portion of my remarks to the Governor on the subject. I allude to that portion of the school supervision which is now very loosely committed by the law to the

SCHOOL DIRECTORS.

The office of School Director, as now provided for by law, is a very important one to the schools, and ought to be more carefully guarded or restricted. Directors are often chosen with great irregularity, at school meetings at which but a small portion of the persons forming the schools are in attendance. The law does not give them any pay for their services; the office is therefore regarded as a burden which but few suitable persons are willing to take upon themselves. The consequence is that the many and important duties of that office are assigned to very unsuitable persons, to the great injury of the schools. The directors are empowered to preside at school meetings; they determine who belongs to the schools, and who are entitled to take part in their meetings and control their proceedings by vote or otherwise. They act as the organ of communication between the inhabitants forming the school and the township trustee. They have charge of the school house and property belonging thereto, subject to the order of the trustee. They make temporary repairs to the school house, furniture, and fixtures, and provide fuel, and report the cost to the trustees for payment. They are required to visit their schools from time to time and exclude refractory pupils. In many instances they determine who may attend the schools. They are empowered to employ and dismiss teachers, and hear and determine petitions for their dismissal. They draw orders on the township treasurers for the payment of teachers, and other expenses of the school, amounting to near three-quarters of a million of dollars annually. They have the power to render their schools eminently successful or complete failures. Questions of jurisdiction between directors and trustees sometimes arise to the great injury of the school. They sometimes employ teachers in advance of the apportionment of the money to their schools by the trustee, and for a greater length of time than their apportionment of school money will pay their teacher, and thus endeavor to expend unlawfully for the current year the money which belongs to succeeding years. They sometimes employ teachers regardless of the provisions of the 145th section of the school law, and the question often comes up from the township trustees whether they are liable or have the right to pay to teachers thus unlawfully employed the distributive share of school money apportioned to the school for which the teacher is thus unlawfully employed. Many complaints have reached me of the employment of unqualified teachers, in violation of the 145th section above referred to. These complaints sometimes come from examiners, teachers, patrons of the school, and even pupils sometimes complain that they are retarded in their educational progress by the inability of their teachers to give instruction in the branches of learning which they are pursuing.

The directors give no official bonds, they are not required to render any official report nor any account whatever, of any part or portion of their doings. There is no appeal from their decisions, or other means provided by law whereby their acts can be reviewed and their errors corrected. There are no penalties provided against them for violations of the law, or neglect, or breach of official duty. Some way of escape from the effects of their errors ought to be provided by law. Their powers ought to be restricted, or the directors ought to be in some way made accountable for the abuse of such powers as are entrusted to them, and reasonable compensation for their service provided for them.

If the directors are to be continued, there ought to be checks and restraints provided by law, so as to secure a more successful and utilizing supervision of this branch of the school service. It is my opinion that the best remedy is to repeal the law relative to directors, and return the duties to the trustees, where they originally were. We would then have the schools in charge of responsible officers, known to the law as such by the regularity of their election, oath of office, official bond, and by ample guaranties and indemnities for the faithful performance of this part of the school supervision. The law does not now provide any directors for incorporated towns and cities, and they get along with their school duties better without them than many of the townships do with them. They are to the system what a fifth wheel would be to a wagon—a heavy drag of machinery without commensurate utility. Much as I would approve of such a repeal, I cannot say that it would meet with popular favor.

DESIGNATION OF TEACHERS.

The present mode of designating teachers has been a fruitful source of strife and embarrassment in a very large portion of the school districts of the State. I suppose that almost every man in the State is aware of the present mode of designating school teachers, and of the strife and trouble to which it leads. The inhabitants attached to a school, now have the designation of the teacher, and, in some measure, the fixing the terms of his employment, and the director has the teacher to employ and the trustee has him to pay. Thus the employment and payment of the teacher are widely separated. And it is an axiom in matters of economy, that to separate the employment from the payment always tends to a wasteful expenditure of the means of payment. It is a feature of our present system to equalize the length of the several schools in each township, and, by taking from the trustee the employment of the teachers, you take from him the only possible means of equalizing the length with any certainty. If this duty is returned to the trustee, he will be able to exercise it more judiciously, and feel a more direct accountability to the people of his township for the success of the schools. If the people of each district must designate their teachers, let it in all cases be done in writing, and filed with the trustee at least a week before the day set

for the commencement of the school. This would almost or entirely do away with the strife and difficulty which now so often occurs at school meetings in their attempts to designate the teacher. The designation could be in something like the following form:

"To the Trustee of Center Township:

"We, the undersigned, inhabitants attached to school No. 4 in said township, designate A. B. as the person whom we wish employed as a teacher for said school for the ensuing term, if such person can be employed within the range of price you have fixed for teachers.

"October 1, 18—."

Such a designation can be signed at any convenient time or place, by persons attached to the schools, and to them and the trustees will be a much more acceptable mode of designation than the one now generally practiced.

TOWNSHIP LIBRARIES.

The township libraries, since their introduction into this State, have been excellent auxiliary educational forces. The library revenue, long since stopped by the operation of the limit set to it by the law which provided it. It was, however, like good seed, well sown, and it has produced the richest of fruits. I recommend that, in revising the school law, permanent provision be made for them by means of an annual revenue of \$40,000 or \$50,000, either by the tenth of a mill on the dollar of property, or by a poll tax of twenty-five cents; either will probably raise the requisite sum. The revenue, when so small, should, I think, be made permanent. For more full remarks see last report.

THE STATE UNIVERSITY.

It gives me great pleasure to be able to say, that the State University is doing good service in her department of the system of public instruction which has been undertaken by the State.

Tuition in the University has long been offered free of charge, to two students from each of the counties of the State. In addition to that liberal provision, the Board of Trustees, at their late meeting in July last, opened it, free of charge for tuition, to all students of the State who desire to avail themselves of her liberal educational advantages. The gentlemen who now constitute the faculty of the University, for their sound morals, elevated character, profound learning, industrious and studious habits, and the eminently practical manner of their application of these elements to the cultivation of the young men committed to their charge, and to imparting instruction to their respective classes, are rarely if ever surpassed.

I am informed by Dr. Nutt, the accomplished President of the Faculty, that the present University term recently commenced its

session with very flattering prospects. My last official visit to the University was on the occasion of its annual commencement in July. The examinations and other exercises of that occasion were satisfactory to me, and very creditable alike to the faculty and the classes, and especially so to the graduating class, whose collegiate course then terminated.

At the time appointed for the annual meeting of the Board of Visitors to the University, a quorum was not present, and consequently no official report was made to the Governor, as the law directs. But I am constrained to say, in this informal manner, that the trusts committed respectively to the Board of Trustees and to the Faculty, are well and faithfully administered. As to the general condition of the property, revenues and finances of the University, and the course of study and discipline pursued in it, I have no amendments to recommend.

The extensive and valuable library of the University, which was, a few years ago, destroyed by fire, has never been sufficiently replaced to answer the necessities of the institution in that line of furniture, for want of means which could be used for that purpose. I therefore recommend an appropriation from some source for the increase of said library.

I respectfully commend the institution to the fostering care of the General Assembly, and to the patronage of the people of the State.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

I am nearly through with the business of this office, and I therefore feel at liberty to speak plainly upon the subject of it, without any fear that my remarks will be seriously misconstrued, or of their being thought to be dictated by interest. The law requires of me, as an official duty, to report to you in connection with the system of public instruction, the "result of my experience and observation, noticing any imperfection in the operation of the system, and suggest the appropriate correction." I here quote the law, so that I shall not be regarded as intrusive in presenting imperfections of the system, and suggesting the appropriate corrections.

The term of the office is too short, and the working force of it entirely inadequate to the duties and labors connected with it. I assumed the duties of the office well knowing that they were onerous, but determined to perform them, if possible, and they have occupied my whole time and attention, and I have devoted myself to them, day and night, with an assiduity entirely unknown to the other departments of the State government, and have exhausted the provision for the employment of a clerk, and have not been able to perform more than one-quarter of the duties and labor which ought to have been performed in that time, in connection with the legitimate business of the department, and which its interests have required.

The brief space here allotted to this subject, and the very short

time which I am able to devote to it, precludes the possibility of more than hinting at the duties, and measure of labor, devolving upon the Superintendent, in connection with the business of the system of public instruction. The creation of the office as the head of a distinct department of the State government, contemplates the working out, inauguration, establishment, organization and management of a system of public instruction for the State, which shall be co-extensive with its limits, and ramify itself into every minute community thereof, for the education of her more than half a million of children, by means of more than 7,000 schools, and near 10,000 teachers, with a local school director for nearly every school, which schools, for location and management, are embraced in near 1,100 distinct school corporations, with about 1,200 trustees, involving an annual expenditure of one million of dollars of school revenue to be annually derived from six millions of dollars of school funds, and from taxes and other sources; in relation to which schools, school revenues and school funds, 15,600 official reports are required in each year, all looking towards this office, 650 of which are required by law to be made to it, which have to be received, considered, digested, filed away, and abstracts compiled from them, and presented in a full and detailed report from the department annually; an official correspondence has to be carried on, by which a couple of thousand letters are received, considered and answered, and an official visiting to the several counties, and lecturing, which requires an amount of travel over the State nearly equal in distance to two trips to California and back.

This large amount of business, and much more which has not been hinted at, for supervision, general management and superintendence, is committed to the Superintendent of Public Instruction, whose term of office is but two years, and salary but \$1,300, and his only assistance a three hundred dollar clerk. The great disproportion of the amount of labor and responsibility here indicated, to the available force provided for its discharge and performance, is unknown in any other department of the government.

The mere mention of the fact, without any comment or argument, appears to me to be sufficient to induce the appropriate correction and suitable relief.

The length of the official term of the head of the department, as has been remarked, is two years. His term commences near the middle of a session of the General Assembly, and expires near the middle of the next succeeding session, affording a very insufficient opportunity to co-operate with that body in effecting any desirable improvement in the system committed to his charge, or of applying to it an enlightened and efficient administration, which time and experience only can apply, and which shall be satisfactory either to himself or to the people of the State.

The measures which I have here to suggest as appropriate corrections for the imperfections above mentioned, are,

First. An amendment of the Constitution so as to increase the

length of the official term of the Superintendent from two to six years, corresponding to that of the Judges of the Supreme Court.

Second. An amendment of the law so as to provide for a deputy Superintendent.

Third. So as to provide for the employment of two clerks, and a messenger for the department.

Fourth. So as to enable the Superintendent to procure full and prompt reports, by a slight increase of his supervisory power, and power to collect losses of school funds, or delinquencies of school revenues, and direct them to their object.

Fifth. So as to put the Superintendent on a fair and equal footing with the heads of the other departments as to compensation.

Such an increase of the official term of the Superintendent, and of his powers and compensation, and such an assignment to his department of additional effective force, for the prompt and faithful discharge of all the duties and labor connected with it, will, I am sure, save to the schools in funds, money, education, and increased efficiency and utility in the business of public instruction, a sum many times greater than the cost of bringing such an auxiliary force into service.

Duty relative to the interests of the schools at times calls the Superintendent to all portions of the State; and he ought not to be restricted by an excess of labor, and a want of help in his office, from responding to such calls. It is more or less annoying and humiliating to him to have to bear the reproaches of the friends of the schools, for an apparent neglect of their interests, when he cannot, for want of time, and on account of the pressure of other more important duties, respond to such calls. The department ought to be put upon a fair business footing, similar to that of the other departments of the government, and assistance provided for which shall be sufficient to perform all the labor and business connected with it.

SCHOOL JOURNAL.

I think great assistance can be rendered to the Superintendent and other school officers, by authorizing him to negotiate and bring about an arrangement with the publisher of the *School Journal*, or some similar periodical publication, by which it should become an official medium of communication for the department, or between the Superintendent and subordinate school officers, and an assistant in developing the system and in its administration, and in diffusing throughout all its ramifications increased uniformity, life, and vigor. The saving which would have doubtless resulted to the people of the State, within the last two years, by the employment of such an agency, in the single item of text books, would have been many times over what it would cost to bring such an agency into use, yet that is as a drop in the bucket compared with the many savings and improvements which would be accomplished by its reasonable employment.

APPEALS.

There appears to be great propriety, and perhaps necessity, that all questions relative to school matters, which are strictly local in their nature, should be confined, for final settlement, to the counties in which they originate. It is equally proper and necessary that an appeal shall be allowed to the Superintendent, from decisions of questions relative to school matters which are general, and of uniform application throughout the State. Such appeals would tend to uniformity in the system, and settle questions of the construction of the law, and of administrative policy.

It was a sentiment long entertained and carefully cherished by the people of the State, and embodied in substantial form in the Constitution, that tuition in the common schools shall be without charge and equally open to all. A careful revision of the school law, so as to cure its ambiguities and defects, and supply its omissions, without radically changing its distinctive and characteristic features, will give us high hopes that it will work out for us in a satisfactory manner a realization of that provision.

In retiring from the department, I desire to present to the several school officers of the State with whom I have had official intercourse during my term of service, my sincere thanks for the uniformly kind and gentlemanly treatment which has, on their part, characterized that intercourse.

SAMUEL L. RUGG,
Superintendent of Public Instruction.

INDIANAPOLIS, January 24, 1861.



APPENDIX.

- I. Abstract of Township School Reports.*
- II. Summary of said Abstracts by Counties.*
- III. Tabular Statement of the amount and condition of the Congressional Township Fund, and the Revenues derived therefrom.*
- IV. Tabular Statement of the amount and condition of the Common School Fund, and the Revenues derived from it, and other School Revenues.*
- V. Circular Letter and Tabular Statement of the apportionment of School Revenue to the Counties, April 23, 1860.*
- VI. Abstract of Reports of the appointment of School Examiners. and of Reports of Examiners.*



NO. I.—ABSTRACT of Township School Reports.

NO. 1. ADAMS COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and Grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.				Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Books in Library.		Condition.		Tax collected for building, repairing, fuel, &c.	
	Whole number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Primary.		High.		Male.	Female.	Male.	Female.	Number.	Value.	No. of volumes used within the year.	Number.	Number of volumes.	Number.	Number.	Number.	Number.	Number.	Number.	
												Male.	Female.	Male.	Female.																
1	294	144	130	6	9	6	9	212	165	9	1	76	83	1	05	83	70	64	96	373	00	65	65	101	12	05	1	12	83	76	
2	611	325	286	7	8	7	8	289	143	4	2	96	70	4	06	83	70	64	96	150	00	44	44	150	00	44	1	12	416	82	
3	379	196	183	6	5	6	5	140	82	5	1	97	61	5	06	83	70	64	96	442	50	65	65	442	50	65	1	12	150	29	
4	183	100	83	6	5	6	5	250	200	7	1	97	61	7	06	83	70	64	96	531	56	65	65	531	56	65	1	12	116	87	
5	289	168	121	7	7	7	7	350	219	8	1	97	61	8	06	83	70	64	96	442	50	65	65	442	50	65	1	12	342	20	
6	407	223	184	9	9	9	9	350	219	7	1	97	61	7	06	83	70	64	96	531	56	65	65	531	56	65	1	12	25	90	
7	273	147	125	8	8	8	8	220	142	8	1	97	61	8	06	83	70	64	96	263	00	44	44	263	00	44	1	12	97	55	
8	259	126	133	6	6	6	6	186	120	4	2	85	66	4	06	83	70	64	96	287	00	65	65	287	00	65	1	12	215	40	
9	293	154	139	5	5	5	5	169	120	4	1	1	07	41	1	07	41	1	07	283	00	65	65	283	00	65	1	12	270	75	
10	220	112	108	4	4	4	4	169	120	4	1	1	07	41	1	07	41	1	07	366	32	65	65	366	32	65	1	12	80	47	
11	303	169	134	9	8	9	8	109	59	8	1	89	65	8	06	83	70	64	96	260	00	65	65	260	00	65	1	12	554	42	
12	152	90	62	6	4	6	4	109	59	4	1	1	06	65	1	06	65	1	06	283	89	87	87	283	89	87	1	12	3110	554	42
	248	111	137	1	1	1	1	204	138	2	2	1	10	52	1	10	52	1	10	4138	16	63	1	175	00	1	12	4128	2427	23	
Total	3891	2065	1826	83	78	83	78	2559	20	67	10	91	64	91	64	91	64	91	64	4138	16	63	1	175	00	1	12	4128	2427	23	

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 2. ALLEN COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Books in Library.			Tax collected for building, repairing, fuel, &c.
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Primary.	High.	Male.	Female.	Male.	Female.	No. of volumes used within the year.	Condition.	Number.	Value.	Number.	Number of volumes.	Select Schools.	Atten'ce.		
1 Wayne.....	1244	688	556	9	9	275	26	169	26	92	87	92	87	92	87	92	87	65	1	275 00	1850	Good.	1	1091 76			
2 Washington.....	685	370	315	9	9	531	26	315	26	75	37	75	37	75	37	75	37	65	2	928 00	391	Good.	2	264 14			
3 Springfield.....	671	333	338	9	9	526	17	315	17	69	41	69	41	69	41	69	41	65	2	928 00	410	Good.	2	639 45			
4 St. Joseph.....	473	256	217	9	9	350	17	269	17	92	46	92	46	92	46	92	46	87	1	325 00	336	Good.	1	430 51			
5 Perry.....	568	297	271	8	8	273	26	159	26	92	46	92	46	92	46	92	46	65	1	325 00	439	Good.	1	577 00			
6 Madison.....	361	199	162	9	6	272	13	112	13	102	37	102	37	102	37	102	37	65	1	325 00	439	Good.	1	358 03			
7 Monroe.....	269	143	126	6	6	196	20	112	20	97	58	97	58	97	58	97	58	65	2	545 00	236	Good.	2	280 42			
8 Marion.....	557	305	252	13	13	475	20	220	20	82	79	82	79	82	79	82	79	219	1	385 00	255	Good.	1	216 28			
9 Maumee.....	70	27	43	2	2	53	40	280	40	87	79	87	79	87	79	87	79	65	2	452 50	219	Good.	2	486 00			
10 Milan.....	325	174	157	7	7	286	28	220	28	76	37	76	37	76	37	76	37	65	1	494 00	437	Not good.	1	463 61			
11 Lake.....	390	217	173	8	6	230	26	62	26	75	38	75	38	75	38	75	38	65	1	330 00	227	Good.	1	192 49			
12 Jefferson.....	423	279	194	9	9	311	26	62	26	83	45	83	45	83	45	83	45	65	1	780 00	317	Good.	1	890 00			
13 El River.....	473	267	206	10	11	408	304	224	304	106	1 06	106	1 06	106	1 06	106	1 06	65	2	650 00	292	Good.	2	426 91			
14 Cedar Creek.....	485	241	244	9	13	528	45	16	45	115	38	115	38	115	38	115	38	65	2	431 00	298	Good.	2	54 33			
15 Adams.....	729	391	338	12	2	45	224	189	224	97	1 06	97	1 06	97	1 06	97	1 06	65	1	250 00	220	Good.	1	180 01			
16 Aboit.....	416	205	211	5	5	377	113	240	113	87	24	87	24	87	24	87	24	65	1	250 00	220	Good.	1	5550 97			
17 Pleasant.....	509	281	228	9	9	427	201	113	201	88	78	88	78	88	78	88	78	65	1	250 00	220	Good.	1	180 01			
18 Scipio.....	150	62	88	2	2	184	30	5	30	1 00	81	1 00	81	1 00	81	1 00	81	65	1	250 00	220	Good.	1	5550 97			
19 Lafayette.....	585	296	289	10	9	427	201	113	201	88	78	88	78	88	78	88	78	65	1	250 00	220	Good.	1	180 01			
20 Jackson.....	35	19	16	3	3	30	5	5	5	1 53	97	1 53	97	1 53	97	1 53	97	65	1	250 00	220	Good.	1	5550 97			
City of Ft. Wayne.....	3560	1675	1885	1	2	1046	869	869	869	93	58	93	58	93	58	93	58	65	1	250 00	220	Good.	1	5550 97			
Total.....	13028	6745	6283	154	145	7050	26	31	26	115	92	115	92	115	92	115	92	65	1	10037 06	8020	6335 50	1	13240 18			

NO. I.—*ABSTRACT of Township School Reports.*—Continued.

NO. 5. BLACKFORD COUNTY.

Number of Townships.	NAMES OF TOWNSHIPS.	Children between the ages of 5 and 21 years.		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Books in Library.		Tax collected for building, repairing, fuel, &c.	
		Whole number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Primary.	High.	Male.	Female.	Number.	Value.	Number of volumes used within the year.	Condition.	Number.		Select Schools.
1	Licking.....	606	310	296	12	11	452	27	8	86	13	58	44	52	624	00	61	2	800	00	528	.....	Good.	4	4140	400 00
2	Washington.....	328	175	153	1	9	263	29	6	58	44	273	00	51	2	273	00	51	2	300	00	435	.....	Good.	.....	114 00
3	Harrison.....	485	242	243	11	10	365	27	6	87	69	347	00	46	3	347	00	46	3	975	00	610	.....	Good.	.....	338 00
4	Jackson.....	322	179	143	10	9	228	16	7	1 00	33	390	00	65	1	390	00	65	1	283	00	580	.....	Good.	.....	375 00
	Total.....	1744	906	835	42	39	1338	29	27	80	49	1643	00	56	8	1643	00	56	8	2360	00	2360	00	4	4140	877 00

NO. 9. CASS COUNTY.

1	Boone.....	431	225	206	6	8	341	27	7	1	...	\$1 25	1 00	...	470	40 65	...	330	Good.	477 06
2	Harrison.....	451	244	217	8	8	206	23	7	1	...	1 25	2 00	...	600	00 65	...	346	Good.	223 14
3	Bethlehem.....	336	180	156	7	7	280	24	7	1	...	1 00	75	...	438	42 65	1	200 00	Good.	158 74
4	Jefferson.....	226	167	159	6	6	234	37	4	1	...	2 25	1 00	...	403	00 65	...	186	Good.	171 17
5	Noble.....	383	208	175	6	6	...	...	3	3	...	1 30	1 00	...	274	00 90	2	700 00	Good.	650 00
6	Clay.....	287	153	114	5	5	249	35	4	1	...	1 30	1 00	...	414	91 90	...	200	Good.	258 91
7	Adams.....	320	169	151	6	6	296	30	5	1	...	1 50	80	...	433	46 65	...	220	Good.	907 38
8	Miami.....	317	174	143	6	6	263	26	5	1	...	1 25	95	...	510	00 65	...	220	Good.	926 75
9	Eel.....	238	115	123	2	2	128	36	1	2	...	1 00	75	...	170	00 65	...	100	Good.	230 72
10	Clinton.....	319	163	156	5	5	218	32	4	1	...	1 30	1 00	...	230	00 65	...	170	Foot.	...
11	Washington.....	528	297	231	9	9	465	51	9	...	...	1 10	...	...	419	49 65	2	696 00	Good.	484 82
12	Tipton.....	488	295	226	8	8	355	27	8	...	...	1 50	...	...	555	37 65	2	640 50	Good.	354 55
13	Deer Creek.....	513	296	216	9	9	379	26	8	1	...	1 25	1 00	...	433	83 48	2	795 00	Good.	430 10
14	Jackson.....	423	221	202	8	7	377	34	7	...	...	1 25	...	...	447	75 64	...	299	Good.	614 73
	City of Logansport.....	951	469	482	2	...	4	325	81	265	...	...	...	...	...	...	...	491	Good.	160 03
	Total.....	6191	3230	2961	93	91	43797	326	34	265	79 14	1 24	93	...	5910	74 67	9	3031 50	Good.	435 60

NO. 10. CLARK COUNTY.

1	Jeffersonville.....	435	233	202	7	7	250	180	6	1	...	1 00	75	...	820	00 90	3	32100 00	950	732 77
2	Attica.....	447	220	227	6	8	251	251	7	1	...	1 53	1 15	...	725	00 62	...	900	...	73 66
3	Charlestown.....	827	430	388	13	12	399	339	12	...	...	1 25	...	...	956	00 80	...	600	...	201 15
4	Owen.....	329	167	162	5	5	210	210	5	...	...	1 25	...	...	400	00 58	2	630 00	330	376 00
5	Bethlehem.....	317	50	167	5	5	213	213	5	...	...	1 31	...	...	403	00 60	1	387 00	408	575 40
6	Washington.....	443	230	213	7	7	339	339	7	1	...	1 22	1 00	...	411	00 50	1	506 00	473	639 58
7	Monroe.....	649	338	341	10	10	412	412	10	...	...	1 00	...	...	618	00 65	2	500 00	493	349 81
8	Silver Creek.....	276	161	115	4	5	191	191	3	2	...	1 04	75	...	374	00 79	...	367	...	30 44
9	Wood.....	462	245	217	7	7	252	252	6	1	...	1 04	1 04	...	335	00 54	...	270	...	...
10	Oregon.....	524	290	234	9	12	360	360	9	...	...	1 25	83	...	675	00 65	...	400	...	258 09
11	Carr.....	329	161	168	4	4	...	...	9	3	...	1 25	1 00	...	351	00 65	...	310	...	...
12	Union.....	306	174	152	4	4	183	110	3	1	...	1 25	1 25	...	319	00 65	...	...	...	...
	City of Jeffersonville.....	1145	587	558	1	2	1	476	...	3	...	...	...	...	2100	00	...	...	...	...
	Town of Port Fulton.....	160	89	71	1	1	93	48	1	...	...	1 54	1 25	...	360	00 130	...	...	...	50 00
	Town of Utica.....	227	105	122	1	1	...	...	2	...	...	...	...	...	...	...	...	...	...	...
	Town of Charlestown.....	306	140	160	1	1	145	100	82	...	...	1 62	...	...	330	00 120	...	...	...	...
	Total.....	6491	3725	347	85	91	43774	100	40	83	12 6 2	1 25	1 04	...	9207	00 75	9	4123 00	...	3246 96

NO. 12. CLINTON COUNTY.

1	Jackson.....	885	484	401	17	15	712	37	15	\$1 26	.....	.....	.....	892 00	50	1	300 00	802	Good.	.....	684 60
2	Washington.....	502	267	235	9	10	370	21	9	1 38	\$0 90	.....	.....	497 00	65	.....	.....	488	Good.	.....	35 95
3	Perry.....	346	176	170	6	6	216	25	6	.....	96	.....	.....	318 00	55	1	313 00	268	Good.	.....	361 39
4	Madison.....	225	132	93	5	5	141	24	4	1 00	75	.....	.....	262 90	65	.....	.....	236	Good.	.....	101 49
5	Ross.....	634	315	319	9	9	.....	.....	10	1 00	.....	.....	.....	612 00	50	1	300 00	525	Good.	.....	615 80
6	Kirklin.....	443	232	211	8	8	438	.....	.....	1 04	.....	.....	.....	550 00	62	2	632 00	346	Good.	.....	337 74
7	Michigan.....	580	298	282	9	1 00	50	1	225 00	275	Good.	324 55
8	Warren.....	527	277	250	9	9	389	27	.....	1 33	80	.....	.....	420 00	65	.....	.....	300	Good.	.....	299 29
9	Owen.....	313	177	136	7	7	200	22	.....	1 95	.....	.....	.....	348 00	.....	.....	.....	188	Good.	.....	56 06
10	Sugar Creek.....	268	129	139	5	5	213	.....	6	.....	95	.....	.....	645 00	55	1	290 00	350	Good.	.....	347 68
11	Johnson.....	772	413	359	10	10	496	28	10	63	.....	.....	.....	345 00	65	.....	.....	.....	Good.	.....	144 63
	Town of Frankfort.....	338	174	164	4	4	281	50	3	1 50	1 25	.....	.....	4890 00	58	7	2060 00	.....	.....	.....	3308 06
	Total	5835	3074	3074	89	89	3456	29	72	3	68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

NO. 13. CRAWFORD COUNTY.

1	Jennings.....	648	343	305	10	10	500	20	9	\$1 10	\$1 00	...	...	...	700 00	65	1	300 00	480	Good.	...	490 00
2	Whisky Run.....	753	263	190	8	8	360	25	8	1 10	...	...	...	...	702 00	86	...	...	340	Good.	...	220 00
3	Liberty.....	270	147	123	5	5	250	35	5	1 08	...	...	...	...	250 00	71	1	200 00	200	Good.	...	70 00
4	Starling.....	496	276	220	11	10	375	16	10	...	86	...	...	...	...	60	...	...	360	Good.	...	99 00
5	Patoka.....	669	342	326	10	10	400	20	10	91	...	...	...	...	568 00	60	...	...	358	Good.	...	172 00
6	Union.....	352	181	171	7	7	220	14	7	87	...	...	...	...	355 00	60	...	...	305	Good.	...	109 00
7	Ohio.....	453	236	217	5	5	302	30	5	82	...	...	...	...	392 00	90	2	525 00	450	Good.	...	397 00
8	Boone.....	208	116	92	4	4	240	30	5	80	...	...	...	...	240 00	60	...	...	190	Good.	...	55 00
	Total	3549	1905	1644	60	59	2676	24	59	94	1 00	...	...	...	3267	65	4	1025 00	...	...	...	1612 00

NO. 14. DAVIESS COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of schools in days.		School houses erected within the year.		Books in Library.		Number.	Atten'ce.	Tax collected for building, repairing, fuel, &c.					
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Value.	Number.	No. of volumes used within the year.	Condition.	Number.	Value.	Number.	Value.								
1 Washington.....	817	441	376	12	12	12	12	451	.....	45	.....	7	5	1	25	0	70	.....	.....	757	00	65	3	800	00	590	.....	Good.	.....	353	00
2 Yeate.....	293	153	140	4	4	4	4	227	.....	39	.....	4	4	1	20	.....	.....	.....	.....	287	00	65	1	300	00	249	.....	Good.	.....	455	00
3 Reeve... ..	645	346	299	7	7	7	7	245	.....	35	.....	5	2	1	25	1	00	.....	.....	448	00	65	.....	389	.....	389	.....	Good.	.....	176	00
4 Harrison.....	394	204	170	7	7	7	7	360	.....	27	.....	5	1	1	25	1	25	.....	.....	480	00	65	1	200	00	430	.....	Good.	.....	151	00
5 Barr.....	1091	528	563	14	12	12	12	734	.....	28	.....	11	1	1	25	1	25	.....	.....	979	00	70	1	188	00	430	.....	Worn.	.....	317	00
6 Van Buren.....	406	208	198	4	4	4	4	300	.....	40	.....	4	4	1	25	.....	.....	.....	.....	320	00	65	.....	430	.....	430	.....	Good.	.....	255	00
7 Madison.....	473	249	224	8	8	8	8	318	.....	22	.....	5	3	1	00	.....	.....	.....	.....	275	00	65	3	939	00	440	.....	Damaged.	.....	473	00
8 Elmore.....	164	98	66	3	3	3	3	199	.....	87	.....	3	3	1	25	.....	.....	.....	.....	300	00	80	.....	200	00	335	.....	Good.	.....	.....	.....
9 Steele.....	235	150	145	6	6	6	6	250	.....	39	.....	5	5	1	00	.....	.....	.....	.....	375	00	65	1	380	00	380	.....	Good.	.....	259	00
10 Bogard.....	360	191	169	5	5	5	5	250	.....	39	.....	2	2	1	75	.....	.....	.....	.....	245	00	65	.....	.....	.....	.....	.....	.....	.....	21	00
Town of Washington.....	307	137	170	1	1	1	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	5245	2725	2520	69	70	70	70	3024	32	56	9	1	25	1	05	4734	00	69	11	3007	00	2440	00

NO. 15. DEARBORN COUNTY.

1	Harrison.....	404	255	169	6	6	333	20	2	1 25	1 00	.....	554 44	65	1	500 00	.....	.....	686 27
2	Logan.....	354	206	154	5	9	302	26	5 4	74	50	.....	680 00	65	1	.....	.....	.....	381 97
3	Miller.....	442	212	230	8	8	269	22	8	.....	.....	.....	416 50	65	200	.....	.....	.....	390 97
4	Lawrenceburg.....	1935	967	968	9	6	450	486	4 7	2 3	1 66	77	1 66	1624 00	75	2	14000 00	850	7 280
5	Center.....	390	202	188	6	6	250	33	5 1	1 15	1 15	.....	255 35	55	1	700 00	523	6 200	3949 76
6	Hazan.....	359	189	170	4	5	325	45	4 5	1 38	55	2 70	388 67	65	1	.....	408	3 45	469 87
7	Manchester.....	956	507	449	15	2	573	38	14 2	3 35	2 07	4 61	1188 00	65	1	370 00	.....	.....	311 00
8	York.....	434	226	208	4	5	290	38	4 1	1 29	1 38	.....	426 00	65	1	420 00	563	3	.....
9	Kelso.....	736	367	369	7	6	323	32	6 1	1 10	1 15	.....	587 50	65	2	1010 00	.....	.....	436 58
10	Jackson.....	587	311	276	7	7	361	27	7 1	1 02	1 68	.....	548 00	65	1	289 00	.....	.....	.....
11	Sparta.....	745	395	350	9	9	469	30	9 1	1 92	1 84	.....	755 00	65	2	650 00	.....	.....	1700 00
12	Clay.....	554	295	259	6	7	378	34	6 1	1 20	1 02	.....	574 00	70	2	.....	472	157 46	.....
13	Cesar's Creek.....	220	115	105	3	3	98	56	3	1 92	.....	.....	202 00	65	1	.....	213	55 06	.....
14	Washington.....	223	114	109	3	3	131	30	3	1 20	.....	.....	245 56	65	1	6000 00	.....	.....	1081 00
	City of Aurora.....	1075	518	557	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....
	Total.....	9414	4853	4561	92	98	4 4558	878	35	216	1 32	1 19	3 00	8345 02	65	12	23939 00	16 605	17599 94

NO. 16. DECATUR COUNTY.

1	Washington.....	646	335	311	13	13	610	30	8 5	1 50	1 00	.....	865 25	65	3	1500 00	.....	Good.	.....	444 00
2	Fagt.....	620	310	310	7	7	920	39	6 2	1 50	1 00	.....	520 00	65	2	800 00	.....	Good.	.....	1030 00
3	Clinton.....	219	112	107	4	4	151	25	3 1	1 50	1 00	.....	430 00	92	1	1100 00	.....	Good.	.....	995 50
4	Adams.....	748	386	363	14	15	527	20	14 1	1 40	.....	.....	818 26	65	1	400 00	.....	Good.	.....	653 50
5	Clay.....	713	375	338	12	12	537	26	11 1	1 15	66	.....	805 00	75	1	400 00	.....	Good.	.....	820 77
6	Jackson.....	653	370	283	9	9	423	32	9	1 25	.....	.....	730 25	65	1	700 00	.....	Good.	.....	830 50
7	Sand Creek.....	694	339	355	14	14	435	106	12	1 12	75	1 75	843 75	50	2	429 00	.....	Good.	.....	.....
8	Marion.....	888	476	412	14	12	516	25	11 1	1 00	75	.....	782 06	65	2	.....	.....	Good.	.....	.....
9	Salt Creek.....	631	328	303	7	7	451	40	7	1 20	.....	.....	470 66	52	1	.....	.....	Good.	.....	345 17
	Town of Greensburg.....	696	338	358	1	7	509	48	1 9	2 50	1 00	.....	673 00	76	.....	.....	.....	.....	8240	1400 00
	Town of Westport.....	124	66	58	1	1	106	74	1 1	2 25	50	.....	126 75	56	.....	.....	.....	.....	.....	.....
	Town of Milford.....	162	72	90	1	2	140	75	60	1 50	.....	.....	600 00	190	.....	.....	.....	.....	.....	.....
	Total.....	6794	3507	3287	97	102	34769	287	31	67	88	2 08	65	7667 98	70	11	5329 00	8240	6499 44

NO. 18. DELAWARE COUNTY.

1	Salem.....	460	255	205	11	...	375	25	...	1 15	92	...	700 00	60 2	750 00	300	...	550 75
2	Mount Pleasant.....	402	238	214	8	...	290	21	...	1 23	...	...	344 10	47 1	385 00	391	...	1011 29
3	Harrison.....	570	297	273	12	...	417	19	...	1 88	...	...	522 00	40	700 00	275	...	244 31
4	Washington.....	473	235	238	12	...	396	18	...	1 00	92	...	538 00	65 2	587 00	362	...	...
5	Monroe.....	486	393	93	...	...	...	...	...	...	...	...	...	...	...	...	...	...
6	Center.....	438	223	215	10	...	258	22	...	1 00	40	...	353 00	65	...	370	...	476 00
7	Hamilton.....	340	189	151	7	...	201	20	...	87	64	...	313 80	45	...	...	...	...
8	Union.....	435	234	201	10	...	176	75	...	92	92	...	220 00	...	800 00	390	...	706 32
9	Perry.....	459	247	212	9	...	351	24	...	1 20	...	...	509 87	65	...	...	...	...
10	Liberty.....	550	306	244	10	...	...	...	...	...	...	...	714 50	65	238 00	300	...	240 98
11	Delaware.....	406	202	204	9	...	312	24	...	1 05	83	...	525 50	65 1	255 00	340	...	280 23
12	Niles.....	468	254	214	8	...	419	33	...	1 15	...	...	631 82	65	...	367	...	730 87
	Town of Muncie.....	621	316	305	2	...	373	124	...	1 80	68	...	500 00	65 1	1000 00	...	...	1516 23
	Total.....	6158	3389	2769	108	...	3574	38	...	1 11	76	...	5893 59	5911	4715 00	3534	...	5816 98

NO. 19. DUBOIS COUNTY.

1	Columbia.....	400	222	178	8	...	369	26	...	78	...	...	350 00	65 3	422 15	419	...	181 64
2	Harbison.....	487	266	221	9	...	226	18	...	1 07	1 10	...	569 75	65 1	427 25	449	...	438 30
3	Bainbridge.....	1036	519	517	11	...	806	57	...	1 07	1 07	...	865 00	65 2	974 00	609	...	478 16
4	Hall.....	702	379	323	10	...	539	25	...	1 12	...	...	747 92	97 2	260 00	527	...	372 64
5	Patoka.....	903	466	437	11	...	554	26	...	1 30	...	...	781 00	65 2	511 00	509	...	753 76
6	Ferdinand.....	578	320	258	5	...	247	25	...	1 26	...	...	443 00	87	...	454	...	377 42
	Total.....	4106	2172	1934	54	...	2735	26	...	1 13	1 08	...	3756 07	7410	2594 40	2958	...	2002 92

NO. 24. FRANKLIN COUNTY.

1	Springfield.....	202	248	254	8	8	2	300	21	6	2	90	50	705 00	65	500	Bad.	2043 00	
2	Bath.....	331	189	142	5	5	311	44	44	5	2	1 00	60	687 00	65	200	Good.	1200 00	
3	Brookville.....	910	466	444	15	15	800	23	23	13	2	80	50	2400 00	65	2	Bad.	1300 00	
4	White Water.....	620	318	302	10	10	.....	23	28	9	1	90	40	1000 00	65	517	Good.	.....
5	Posey.....	358	167	191	6	6	.....	28	28	6	.....	75	.....	500 00	65	.....	Good.	.....
6	Highland.....	756	407	349	10	10	506	.....	28	11	.....	80	.....	850 00	65	1	Good.	379 00
7	Ray.....	709	364	345	4	4	374	31	31	2	.....	70	70	615 00	65	445 00	Good.	.....
8	Blooming Grove.....	399	197	262	5	5	250	.....	.....	5	.....	90	.....	615 00	65	1	Good.	610 00
9	Fairfield.....	344	150	194	3	2	.....	.....	.....	2	.....	80	.....	180 00	65	1800 00	Good.	1017 00
10	Salt Creek.....	385	197	188	8	7	200	.....	385	5	2	65	45	470 00	65	150	Good.	76 00
11	Laurel.....	362	182	179	5	6	361	.....	.....	5	.....	75	60	705 00	65	1	Good.	.....
12	Butler.....	543	289	254	7	7	371	32	32	4	3	65	65	705 00	65	500	Good.	.....
13	Metamora.....	363	178	185	3	3	150	50	50	2	1	90	.....	300 00	66	2000 00	Good.	600 00
	Town of Brookville.....	514	237	277	1	2	214	170	1	3	1 35	60	65 1	2000 00	65	1	Good.	600 00
	Town of Mt. Carmel.....	129	67	62	.....	.....	.....	.....	.....	1	1	.....	.....	.....	65	1	Good.	.....
	Town of Laurel.....	300	200	100	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	65	.....	Good.	.....
	Total.....	7524	3856	3668	80	41	4387	47	75	19	.....	84	55	8412 00	65	11560 00	3919	7845 00

NO. 25. FULTON COUNTY.

1	Wayne.....	366	196	170	6	6	.....	29	.....	6	.....	81	.....	382 80	65	2	.....	Good.	486 01
2	Union.....	418	211	207	6	6	.....	35	.....	6	4	1 15	46	570 00	65	.....	.....	Good.	.....
3	Anbenaubee.....	313	186	127	6	6	239	20	.....	9	2	92	38	360 00	65	.....	.....	Good.	.....
4	Liberty.....	556	288	268	11	11	411	25	.....	9	2	1 02	97	659 00	65	1	.....	Good.	40
5	Rochester.....	963	495	465	13	12	678	130	40	13	5	1 15	77	1103 10	65	.....	.....	Good.	844 94
6	Richland.....	376	202	174	7	7	173	.....	.....	7	.....	1 00	.....	499 31	65	1	.....	Good.	580 48
7	Henry.....	613	313	300	10	9	527	37	.....	9	4	1 00	38	599 40	65	2	.....	Good.	852 06
8	New Castle.....	429	238	191	11	11	350	22	.....	8	3	93	28	509 28	65	.....	.....	Good.	374 65
	Total.....	4034	2139	1902	70	68	1 2378	41	41	64	21	1 01	54	4083 03	65	1911 00	2554	.....	3137 84

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 26. GIBSON COUNTY.

Number of Townships.	NAMES OF TOWNSHIPS.	Children between the ages of 5 and 21 years.		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.	School houses erected within the year.		Number of volumes.		Books in Library.		Attend'ce.	Select Schools.	Tax collected for building, repairing, fuel, &c.		
		Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Males.	Females.	Males.	Females.	Male.	Female.	High.	Female.	No. of volumes used within the year.		Condition.	Number.									
1	Columbia.....	556	286	270	6	6	443	27	27	27	15	1	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
2	Patoka.....	1021	520	521	22	21	530	27	27	27	15	6	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
3	White River.....	516	278	238	6	6	336	27	27	27	15	1	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
4	Washington.....	311	155	156	5	5	186	20	20	20	5	1	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
5	Montgomery.....	1029	511	518	13	13	747	27	27	27	15	4	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
6	Johnson.....	726	404	316	12	10	412	22	22	22	10	1	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
7	Barton.....	377	182	195	9	9	335	20	20	20	2	2	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
8	Wabash.....	92	55	37	3	3	42	21	21	21	2	2	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
	Town of Princeton.....	457	233	224	1	6	350	50	50	50	2	5	1	1	1	1	1	1	1	60	60	1130 00	671	60	1130 00	671	60	1130 00	671	60	1130 00
	Total.....	5079	2604	2475	77	78	23444	177	177	177	80	60	19	1	1	1	1	1	1	70	2	5675 00	1921	800 00	5675 00	1921	800 00	5675 00	1921	800 00	5675 00

NO. 27. GRANT COUNTY.

1	Van Buren.....	405	213	192	9	9	280	154	9	1 06	410 62	43	1	200 00	266	Good.	330 46
2	Washington.....	458	242	216	9	9	370	225	10	1 08	472 31	53	...	...	325	Good.	588 86
3	Pleasant.....	694	339	335	10	10	492	255	10	1 08	700 40	65	1	500 00	350	Good.	553 15
4	Richland.....	426	226	200	6	6	290	144	6	1 15	450 00	65	1	410 00	352	Good.	313 00
5	Centre.....	429	240	189	8	8	412	412	8	1 32	684 85	65	2	950 00	590	Good.	713 85
6	Mill.....	506	246	250	8	6	344	196	5	1 24	435 00	65	2	1040 00	450	Good.	562 10
7	Monroe.....	395	228	175	8	8	301	193	5	1 24	350 32	40	1	354 00	308	Good.	132 34
8	Jefferson.....	493	269	224	14	11	364	220	11	1 00	478 00	60	1	125 00	406	Good.	54 22
9	Fairmount.....	563	286	277	9	9	410	248	9	1 20	486 42	55	...	...	255	Good.	317 27
10	Liberty.....	456	247	209	9	8	306	184	6	1 02	190 65	52	1	148 00	183	Good.	167 81
11	Green.....	303	167	136	6	4	141	86	4	90	173 79	50	...	...	228	Good.	233 04
12	Simms.....	338	185	153	6	5	225	122	3	87	470 99	65	...	...	293	Good.	293 84
13	Franklin.....	420	230	190	7	7	353	188	8	1 03	180 00	65	...	...	...	...	...
	Town of Marion.....	396	194	202	3	2	151	200	80	1 38	...	...	...	...	...	...	...
	Total.....	6262	3304	2958	112	102	24425	200	27	94 8 4 2	6121 16	5610	...	3727 00	4405	...	22 627 4704 85

NO. 28. GREENE COUNTY.

1	Richland.....	680	365	315	13	12	407	20	12	1 09	1150 00	65	...	...	527	Good.	485 39
2	Taylor.....	581	286	295	11	8	440	20	4	1 15	660 00	...	2	600 00	168	Good.	426 52
3	Jackson.....	617	309	308	13	15	531	...	13	73	750 00	65	...	...	340	Good.	45 95
4	Center.....	730	370	360	16	15	548	24	12	75	613 00	59	...	145 00	380	Good.	72 76
5	Beech Creek.....	649	342	307	11	12	548	...	10	100	362 00	60	1	...	...	...	18 19
6	Highland.....	450	257	104	7	6	306	...	13	115	144 00	65	...	...	213	Good.	20 40
7	Bel River.....	200	96	104	4	4	137	20	2	100	150 00	65	1	300 00	179	Good.	265 18
8	Fair Play.....	186	92	94	4	2	60	...	7	100	216 00	...	...	...	237	Good.	57 32
9	Smith.....	210	102	108	4	4	166	77	2	100	450 00	50	2	400 00	300	Good.	217 25
10	Wright.....	508	289	219	4	9	404	...	7	100	105 00	82	...	...	...	...	137 86
11	Stockton.....	438	219	219	11	11	...	...	2	1 00	477 00	65	4	839 00	...	...	337 00
12	Stafford.....	200	100	91	5	2	65	...	7	1 00	227 00	65	...	...	237	Good.	38 88
13	Washington.....	283	145	138	8	8	197	26	3	75	290 00	65	...	...	250	Good.	44 08
14	Cass.....	247	122	125	6	3	115	72	3	1 04	1 92	...	...	...	...	...	...
15	Jefferson.....	321	153	168	3	3	236	43	29	...	...	...	...	...	...	...	...
	Total.....	6300	3250	3044	123	99	13612	43	36	95 73	1 92	5654 00	6410	2284 00	2811	...	4 167 2157 08

NO. 1.—ABSTRACT of Township School Reports.—Continued.

NO. 32. HENDRICKS COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of schools in days.		Number of school houses erected within the year.		Number of volumes.		Condition.		Books in Library.	Tax collected for buildings, repairing, fuel, &c.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
	Whole Number.	Males.	Females.	Number of Districts.		Primary.	High.	Primary.	High.	Primary.	High.	Primary.		High.		Male.	Female.	Male.	Female.	Value.	Number.	No. of volumes used within the year.	Condition.	Number.	Select Schools.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
				Primary.	High.							Male.	Female.	Male.	Female.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
1	723	351	372	9	9	9	2	623	200	306	180	5	2	3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

NO. 33. HENRY COUNTY.

1 Wayne.....	602	309	293	8	8	452	304	9	1	1 58	1 29	803 30	65	506	661 70
2 Franklin.....	376	208	168	6	6	317	204	5	3	1 58	1 29	615 00	65	330	58 78
3 Dudley.....	789	248	241	7	8	354	297	5	3	1 34	1 24	445 50	43	417	...
4 Liberty.....	603	311	292	9	9	494	267	8	1	1 29	1 15	746 06	62	441	...
5 Henry.....	510	260	250	10	10	426	250	8	2	1 17	1 00	650 26	65	500	894 28
6 Greensboro.....	350	189	161	8	8	238	190	4	6	1 17	1 03	783 77	64	410	114 20
7 Harrison.....	607	317	290	8	8	448	272	7	1	1 25	1 15	553 38	65	395 00	470
8 Fall Creek.....	470	249	221	9	9	442	213	8	1	1 26	1 15	638 14	54	500	1210 73
9 Prairie.....	551	303	248	9	9	380	213	9	...	1 15	1 15	671 16	65	354	...
10 Stony Creek.....	434	227	207	6	6	313	240	6	...	1 54	1 27	581 69	65	370	689 74
11 Spiceland.....	561	303	258	8	8	404	264	7	9	1 27	1 27	753 46	58	98 00	130 20
12 Jefferson.....	358	198	160	8	8	333	215	8	...	1 30	1 18	630 40	40	385	882 00
13 Blue River.....	372	204	168	6	6	249	166	6	...	1 18	1 03	420 11	50	374	1199 60
Town of New Castle.....	504	232	272	1	3	323	250	2	4	2 33	1 03	567 70	65	...	327 71
Town of Knightstown.....	271	128	143	1	1	250	135	1	6	...	...	359 00	43	...	1256 47
Town of Lewisville.....	92	37	55	...	...	...	...	...	...	...	...	112 00	65	...	253 52
Town of Greensboro.....	154	76	78	1	1	72	53	1	1	1 38	40	...	...	...	...
Town of Cadiz.....	91	41	50	1	1	38	22	...	...	1 30	...	...	...	...	...
Town of Luray.....	38	20	18	1	1	...	...	...	...	...	...	...	...	...	...
Town of Sulphur Springs.....	80	35	45	1	1	125	80	1	1	...	...	...	...	...	...
Town of Middle Avon.....	180	77	100	...	...	...	...	...	...	...	...	...	...	...	...
Total.....	7696	3772	3724	109	110	17684	250	34	120	1	1 35	8830 93	60	2620 42	7703 78

NO. 34. HOWARD COUNTY.

1 Center.....	447	249	198	6	6	204	138	6	...	1 18	...	511 25	61	365	883 07
2 Erin.....	563	318	245	11	10	413	252	10	...	1 16	...	533 60	65	283	337 24
3 Monroe.....	383	191	192	5	5	315	197	4	1	1 24	0 55	441 00	65	239	188 08
4 Clay.....	290	132	128	7	5	160	110	4	1	1 07	93	599 00	55	227	288 00
5 Harrison.....	368	214	154	8	8	385	229	6	2	1 15	93	529 00	65	204	73 72
6 Taylor.....	623	256	267	8	8	387	218	8	...	1 05	...	476 00	65	228	197 25
7 Howard.....	457	229	228	6	5	320	140	4	1	1 33	1 33	734 85	65	210	69 10
8 Liberty.....	485	254	231	9	5	182	125	5	...	1 13	...	253 00	40	357	482 55
9 Union.....	481	243	338	10	10	373	250	10	...	0 63	...	430 00	65	434	295 00
10 Jackson.....	216	111	105	5	4	137	84	4	...	92	47	241 00	65	265	100 00
11 Honey Creek.....	374	197	177	7	7	278	205	6	1	1 13	...	458 00	65	401	550 00
Town of Kokomo.....	248	132	116	...	...	...	...	...	...	...	...	...	...	...	...
Total.....	4805	2521	2277	82	72	3154	27	67	6	1 09	84	6406 70	62	1414 00	3470 01

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 35. HUNTINGTON COUNTY.

Number of Townships.	Children be- tween the ages of 5 and 21 years.	Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of school in days.		School houses erected within the year.		Books in Library.		Tax collected for building, repairing, fuel, &c.
		Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Males.	Females.	Male.	Female.	Male.	Female.	Number.	Value.	Number.	No. of volumes used within the year.	Condition.	Number.			
																						Whole number.		
1	Jackson.....	542	270	272	11	.....	.....	.....	.....	.....	9	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	465 51
2	Clear Creek.....	524	276	288	.....	.....	.....	.....	.....	.....	9	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	280 00
3	Warren.....	338	168	160	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	100 00
4	Dallas.....	432	221	211	.....	.....	318	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	353 00
5	Huntington.....	593	298	295	.....	.....	.....	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	102 00
6	Union.....	325	173	162	.....	.....	213	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	214 00
7	Rock Creek.....	553	288	245	.....	.....	353	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	245 00
8	Lancaster.....	521	278	246	.....	.....	388	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	102 00
9	Polk.....	236	140	116	.....	.....	183	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	319 00
10	Wayne.....	261	140	121	.....	.....	.....	.....	.....	.....	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	304 00
11	Jefferson.....	448	214	195	.....	.....	344	.....	.....	.....	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	319 00
12	Salamony.....	540	279	281	.....	.....	438	.....	.....	.....	9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	304 00
	Town of Huntington.....	539	259	276	.....	.....	.....	.....	.....	.....	9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2442 51
	Total.....	5886	3014	2872	56	67	2237	31	31	90	60	55	3024	00	50	7	2006	00	1572					

NO. I.—*ABSTRACT of Township School Reports.*—Continued.

NO. 38. JAY COUNTY.

Number of Townships.	Children be- tween the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attend- ing during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Number of volumes, No. of volumes used within the year.		Books in Library. Condition.		Number. Attend- ee		Tax collected for building, repairing, fuel, &c.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														

NO. 39. JEFFERSON COUNTY.

1	Madison.....	1764	898	866	51	21	1100	48	20	1	1	1 30	1 15	.....	1050 00	65	3	1500 00	140	.....	4	928 00
2	Milton.....	699	353	346	9	13	586	48	10	3	1	1 30	92	.....	1062 00	65	2	978 00	641	.....	3	499 00
3	Shelby.....	667	352	315	13	11	428	23	11	.....	1	1 20	.....	840 00	65	2	700 00	400	.....	4	769 00	
4	Lancaster.....	556	284	272	7	7	350	112	5	2	2	1 00	54	.....	455 00	65	1	300 00	500	.....	2	761 00
5	Republican.....	445	222	223	7	7	445	175	6	1	.....	1 07	95	.....	482 00	65	2	900 00	375	.....	.....	258 00
6	Graham.....	614	333	281	10	10	440	44	9	1	.....	.....	.....	449	.....	55	.....	449	.....	.....	.....	.....
7	Saluda.....	594	302	292	9	9	350	28	5	4	.....	83	83	.....	495 00	65	.....	.....	.....	.....	.....	133 00
8	Hanover.....	430	219	211	5	5	2 065	70	35	4	2	55	37	1 00	55	343 00	55	.....	400	.....	5	767 00
9	Monroe.....	560	334	226	8	8	340	26	20	5	3	1 20	1 15	.....	615 00	65	.....	521	.....	1	138 00	
10	Smryna.....	417	218	199	8	7	273	25	3	4	.....	1 00	1 05	.....	435 00	65	.....	450	.....	.....	80 00	
	City of Madison.....	3243	1523	1710	4	4	900	621	2	13	.....	2 79	69	.....	3600 00	252	.....	.....	.....	6	918 00	
	Total.....	9989	5048	4941	101	102	35487	182	44	81	36	4	1 22	85	1 00	5510477 00	80	11	4358 00	1881	30	5451 00

NO. 40. JENNINGS COUNTY.

1	Bigger.....	368	205	163	8	6	228	21	6	...	97	...	...	...	345 35	68	3	795 00	470	...	379 68
2	Campbell.....	557	283	274	10	10	394	25	9	1	...	92	34	...	518 22	60	1	225 00	...	...	314 49
3	Columbia.....	373	210	163	7	7	247	24	7	...	1 01	...	...	...	320 00	45	...	375	...	...	...
4	Geneva.....	840	448	392	12	13	556	28	10	3	...	1 10	90	...	534 10	42	1	410 00	450	...	300 60
5	Marion.....	536	262	268	10	10	200	28	3	2	...	90	55	...	308 00	43	1	250 00	400	...	552 09
6	Montgomery.....	598	329	269	11	11	531	20	12	...	90	...	...	...	480 00	43	...	508	...	730 98	
7	Spencer.....	641	345	296	13	13	532	26	11	2	...	1 00	1 00	...	442 00	40	1	250 00	424	...	389 02
8	Sand Creek.....	437	228	209	7	7	515	25	7	...	1 00	...	...	...	450 00	65	...	...	...	...	420 92
9	Vernon.....	1304	654	650	21	21	1008	38	18	3	...	1 00	00	...	652 00	40	1	275 00	...	...	...
	Town of Vernon.....	241	140	105	3	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total.....	5893	3104	2789	102	101	4011	27	83	11	...	97	68	...	4049 67	50	8	2245 00	2627	...	3387 78

NO. 42. KNOX COUNTY.

1	Vigo.....	608	339	269	9	7	400	40	5	2	1	1	00	50	255 00	65	1	600 00	300	Good.	...	...	690 20
2	Widener.....	491	254	240	8	11	427	20	6	5	1	1	00	1 00	785 00	86	1	300 00	386	Good.	...	...	310 35
3	Busserton.....	423	243	180	6	8	300	21	5	3	1	1	00	75	513 00	65	2	600 00	330	Good.	...	...	386 37
4	Washington.....	568	301	267	10	9	450	33	7	2	1	1	40	1 10	879 00	65	1	300 00	...	Good.	...	...	65 00
5	Palmyra.....	429	237	192	7	7	225	25	5	2	1	1	30	1 10	528 00	65	1	250 00	289	Good.	...	...	402 45
6	Vincennes.....	679	403	276	5	5	369	33	5	...	1	1	50	...	1109 00	130	1	600 00	805	Good.	...	...	623 09
7	Harrison.....	607	330	277	10	9	505	23	7	2	1	1	25	1 00	907 00	85	3	467 00	437	Good.	...	...	539 00
8	Johnson.....	411	241	170	6	7	365	21	5	2	1	1	50	90	675 00	65	...	...	325	Good.	...	...	...
9	Decker.....	233	133	100	3	2	...	20	3	...	1	1	30	...	340 00	65	...	...	320	Good.	...	...	...
10	Steen.....	309	161	148	5	5	254	...	4	2	...	...	...	...	502 00	...	...	...	...	Good.	...	...	...
	City of Vincennes.....	1186	571	615	...	4	395	60	2	5	...	2	00	1 00	900 00	100	...	...	...	Good.	...	...	...
	Total.....	5948	3214	2731	69	75	3800	30	51	24	...	1	30	92	7294 00	79	10	3117 00	3193	...	...	...	3016 38

NO. 43. KOSCIUSCO COUNTY.

1	Jackson.....	376	194	185	7	7	203	182	6	1	1	1	00	50	383 00	65	1	285 00	196	Good.	...	...	598 57
2	Monroe.....	234	182	154	6	6	292	173	5	1	1	1	00	50	378 00	65	1	240 00	172	Good.	...	...	400 46
3	Washington.....	630	341	299	14	12	598	361	11	1	1	1	00	1 00	385 27	65	1	300 00	350	Good.	...	...	435 95
4	Tipteenue.....	405	218	188	8	6	280	200	2	4	1	1	00	67	231 25	65	2	475 00	200	Good.	...	...	505 13
5	Turkey Creek.....	315	161	154	6	6	269	204	6	1	...	85	50	...	311 62	65	1	570 00	215	Good.	...	...	477 99
6	Van Buren.....	465	251	214	6	6	357	214	6	...	1	1	32	...	515 00	65	1	375 00	347	Good.	...	...	556 27
7	Plain.....	517	256	261	8	8	1 361	52	7	1	1	1	20	83	639 30	52	1	400 00	324	Good.	...	...	1101 31
8	Wayne.....	431	222	209	10	10	378	249	9	1	1	1	00	75	348 80	55	2	650 00	475	Good.	...	...	791 81
9	Clay.....	668	348	320	14	15	609	377	12	3	...	85	52	...	617 70	55	4	1194 00	400	Good.	...	...	956 20
10	Seward.....	476	240	236	9	6	476	293	7	4	1	1	00	50	600 00	65	1	250 00	285	Good.	...	...	773 17
11	Franklin.....	930	322	298	15	15	308	175	6	...	1	00	...	...	401 00	65	2	575 00	285	Good.	...	...	603 02
12	Harrison.....	356	193	163	7	7	300	175	7	...	84	43	...	...	567 41	78	1	284 00	377	Good.	...	...	829 27
13	Prairie.....	209	165	104	4	4	174	107	4	...	85	...	...	...	392 00	56	1	300 00	229	Good.	...	...	512 92
14	Jefferson.....	232	143	119	4	4	130	80	...	...	1	12	...	...	217 00	65	1	318 00	100	Good.	...	...	231 13
15	Scott.....	296	119	87	2	2	130	...	2	...	90	...	...	...	118 00	65	1	300 00	180	Good.	...	...	900 98
16	Etna.....	443	218	228	1	1	234	108	...	1	1	...	...	...	580 22	235	...	...	...	Good.	...	...	752 67
	Town of Warsaw.....	7140	3712	3428	132	121	25409	346	28	125	37	25	2	1	1 00	62	2	00	1 33	...	...	...	9987 88
	Total.....	7140	3712	3428	132	121	25409	346	28	125	37	25	2	1	1 00	62	2	00	1 33	...	...	...	9987 88

NO. 45. LAKE COUNTY.

1	North.....	217	99	108	6	4	120	85	1	5	80	46	65	1	150 00	217	Good.	282 56
2	Ross.....	531	305	231	10	11	349	157	6	5	1 45	1 00	301 00	45	1 00 00	217	Good.	451 50
3	St. Johns.....	400	217	183	5	4	...	237	1	2	1 00	98	345 00	110	1 100 00	181	Good.	84 49
4	Centre.....	428	199	229	...	...	...	...	...	...	1 00	50	359 00	60	1 265 00	410	Good.	653 78
5	West Creek.....	417	234	183	9	9	255	180	4	5	...	...	...	...	...	...	...	511 39
6	Cedar Creek.....	356	184	171	7	7	312	191	3	4	84	40	252 00	67	1 281 00	197	Good.	408 59
7	Eagle Creek.....	328	159	169	6	5	232	170	3	2	95	50	227 00	130	...	200	Good.	435 46
8	W infield.....	292	116	116	5	5	232	...	4	1	95	45	238 00	...	...	274	Good.	217 46
9	Hobart.....	212	125	87	4	4	193	71	2	2	1 00	40	210 00	...	...	189	Good.	161 51
10	Hanover.....	305	170	135	4	4	134	115	4	...	...	...	186 00	44	...	71	Good.	287 50
Total.....		3420	1808	1612	56	53	1838	22	28	25	1 00	59	2148 00	74	4	856 00	184	3484 24

NO. 46. LAPORTE COUNTY.

1	Hudson.....	148	75	73	3	3	100	88	3	3	80	31	245 00	130	...	230	Good.	64 08
2	Galena.....	295	147	148	6	6	219	149	6	0	83	35	420 00	65	...	...	...	323 68
3	Springfield.....	334	170	164	8	8	213	156	5	3	64	31	397 00	65	1	274 00	300	206 89
4	Michigan.....	101	49	49	2	1	101	27	1	1	65	28	83 00	154	...	463	Damaged.	208 11
5	Coolspring.....	327	165	165	4	4	209	132	4	4	...	...	378 00	150	1	1125 00	...	335 17
6	Center.....	417	202	202	6	4	342	300	4	4	1 09	39	...	...	...	585	Bad.	440 00
7	Kankakee.....	490	220	220	9	10	273	250	9	1	97	...	671 00	60	...	245	Good.	22 38
8	Wills.....	349	166	166	7	7	203	164	7	7	97	31	501 00	78	1	200 00	150	362 75
9	Pleasant.....	345	186	156	8	8	238	134	7	5	85	38	385 00	65	...	...	Injured.	287 84
10	Union.....	331	143	143	7	7	273	190	7	7	1 15	36	353 00	78	...	270	Fair.	376 04
11	Scipio.....	287	143	143	6	6	290	143	4	6	97	50	200 00	150	...	305	Good.	1246 02
12	Noble.....	495	263	263	10	10	358	237	10	10	89	40	494 00	192	1	450 00	288	283 29
13	New Durland.....	670	294	294	10	13	584	350	9	4	97	70	688 00	150	...	215	Good.	...
14	Clinton.....	205	142	142	8	17	425	288	10	7	1 10	50	738 00	78	...	315	Good.	...
15	City of Michigan.....	1931	681	981	...	...	595	140	...	...	...	...	...	...	...	187	Good.	3514 12
Town of Michigan City.....		898	435	435	1	6	403	246	...	...	...	...	1080 00	144	...	...	...	362 50
Total.....		7978	4108	3870	101	126	2 4839	140	28	112	86	84	4735 00	113	4	2049 00	3610	9253 67

NO. 47. LAWRENCE COUNTY.

Number of Townships.	NAMES OF TOWNSHIPS.	Children between the ages of 5 and 21 years.		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Number of volumes used within the year.		Condition.		Number.		Tax collected for buildings, repairing, fuel, &c.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
		Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Primary.	High.	Male.	Female.	Value.	Number.	Number of volumes.	Number of volumes used within the year.	Condition.	Number.	Value.	Number.	Value.	Number.	Value.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 50. MARSHALL COUNTY.

Number of Townships.	NAMES OF TOWNSHIPS.	Children between the ages of 5 and 21 years.		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Books in Library.		Tax collected for building, repairing, fuel, &c.	
														No. of Teachers.													
		Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Value.	Number.	Number of volumes.	No. of volumes used within the year.	Condition.	Number.	Attend'ce.
1	Union.....	503	295	208	7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	318 00	
2	Center.....	679	372	307	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	1	250 00	789 00	495	4777 00	55 3/4	750 00	2894 00
3	Green.....	281	148	133	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	328 00
4	Bourbon.....	615	305	310	12	10	10	10	10	10	10	10	10	10	10	10	10	10	10	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
5	Tippecanoe.....	332	178	154	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
6	German.....	567	287	280	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
7	North.....	378	195	182	10	9	9	9	9	9	9	9	9	9	9	9	9	9	9	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
8	Polk.....	347	195	152	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
9	West.....	379	208	171	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
10	Walnut.....	321	178	143	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
	Town of Plymouth.....	337	211	186	...	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5	250 00	338 00	495	4777 00	55 3/4	750 00	2894 00
	Total.....	4799	2572	2227	106	104	1	2024	926	926	926	926	926	926	926	926	926	926	926	55 3/4	750 00	495	4777 00	55 3/4	750 00	2894 00	

NO. 51. MARTIN COUNTY.

1	Baker.....	307	203	194	6	6	187	138	6	1 10	305 76	46	264	...	...	15 40
2	McCameron.....	389	217	172	6	5	307	196	5	1 00	329 00	64	370	...	...	91 80
3	Brown.....	306	147	139	5	5	207	...	...	1 00	255 00	57	272	...	...	...
4	Mitchell.....	388	196	192	5	3	...	...	...	...	...	...	...	...	...	...
5	Halbert.....	348	199	149	6	3	100	33	...	75	...	65	305	...	...	...
6	Perry.....	650	327	332	13	12	...	...	...	...	...	...	...	...	...	...
7	Rutherford.....	382	211	171	6	4	153	15	4	1 00	315 00	74	300	...	1	112 00
8	Columbia.....	297	196	131	4	5	277	125	3 2	1 00	300 00	...	...	...	...	68 13
9	Lost River.....	224	131	93	4	3	90	42	1 2	1 00	180 00	64	192	...	3 120	180 19
Total.....		3380	1797	1593	55	48	1321	39	19 4	98	1 00	...	1683	...	4 120	467 52

NO. 52. MIAMI COUNTY.

1	Peru.....	286	138	149	6	6	181	105	6	1 15	276 00	40	400	...	Good.	...
2	Jefferson.....	556	290	266	10	8	446	400	8	1 25	646 00	65	470	...	Good.	440 40
3	Perry.....	665	317	318	13	12	544	355	11 1	1 07	816 00	65	161	...	Good.	522 00
4	Union.....	305	153	152	6	6	217	144	5 1	1 36	338 00	55	112	...	Good.	110 16
5	Richland.....	674	361	313	15	15	584	420	13 6	1 17	1043 00	65	430	...	Good.	...
6	Erie.....	186	99	87	4	4	...	...	3 1	1 03	250 00	65	241	...	Good.	128 07
7	Butler.....	565	265	300	10	10	500	300	10	1 06	690 00	65	270	...	Good.	226 50
8	Washington.....	556	292	264	10	10	299	300	8 2	1 18	631 00	60	315	...	Good.	100 06
9	Pipe Creek.....	341	177	167	7	7	273	179	5 2	1 20	399 00	65	210	...	Good.	26 73
10	Deer Creek.....	391	207	184	7	7	290	189	5 2	1 20	515 00	65	500	...	Good.	252 76
11	Clay.....	334	169	165	7	7	282	100	6 1	1 15	465 00	65	200	...	Good.	30 32
12	Harrison.....	317	180	137	7	8	230	144	6	1 02	390 00	65	280	...	Good.	105 00
13	Jackson.....	415	226	189	8	8	319	159	8	1 56	569 00	45	280	...	Good.	113 17
14	Allen.....	229	118	111	5	3	130	73	3	99	193 00	65	75	...	Good.	...
Town of Peru.....		648	317	331	...	...	...	...	...	...	...	...	...	...	...	...
Total.....		6172	3339	3133	115	108	1295	27	97 16	1 17	7281 00	6013	21600 00	3944	15 57	2055 17

NO. 53. MONROE COUNTY.

Number of Township.	Children between the ages of 5 and 21 years		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.				Average compensation per day.				Expended for tuition.		Length of Schools in days.		Value.		Number of volumes used within the year.		Condition.		Number.		Attendce.		Tax collected for building, repairing, fuel, &c.	
											Primary.		High.		Primary.		High.																	
											Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.																
NAMES OF TOWNSHIPS.	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Primary.	High.	Male.	Female.	Primary.	High.	Male.	Female.	Primary.	High.	Male.	Female.	Primary.	High.	Male.	Female.	
1	439	249	190	7	7	7	243	125	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
2	354	198	156	7	7	7	254	127	6	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
3	121	68	53	2	2	2	68	35	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
4	249	161	138	9	9	9	227	139	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
5	976	500	401	9	9	9	527	212	7	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
6	437	237	200	7	7	7	321	186	6	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
7	402	230	172	7	7	7	368	42	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
8	548	289	259	6	6	6	365	199	6	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
9	240	146	114	5	5	5	176	73	8	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
10	283	131	152	4	4	4	204	129	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
11	472	240	212	6	6	6	342	166	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
12	457	229	228	6	6	6	281	166	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
Total	5044	2707	2337	76	59	76	2817	1666	50	81	81	81	81	81	115	117	115	117	5039	00	63	7	7	7	7	7	7	7	7	7	7	7	7	

1	Coal Creek.....	586	311	275	9	9	401	29	8	1	1	19	61	(659 00	65	Good.	7 300	1105 92
2	Wayne.....	490	262	228	7	7	1 407	47	8	2	1	....	90	50	50	....	406 00	52	1	400 00	340	....	Good.	....	....	....
3	Ripley.....	571	298	273	7	7	350	35	....	....	....	....	1 53	....	1 15	....	75 00	60	....	....	371	....	Good.	....	....	113 23
4	Brown.....	776	422	354	13	13	513	26	10	3	....	....	1 38	1 38	1 38	....	742 00	65	1	340 00	385	....	Fair.	13	....	1042 85
5	Scott.....	351	179	172	7	7	185	26	....	2	5	....	....	1 24	1 00	....	....	....	....	....	450	....	Fair.	....	....	173 24
6	Union.....	1539	826	713	27	27	1198	25	29	....	....	....	1 15	92	82	....	1882 00	65	2	983 00	889	....	Good.	....	....	2597 73
7	Madison.....	368	216	152	7	6	1 233	20	....	5	1	1	1	1 25	82	....	314 00	43	....	....	....	....	....	....	....	161 74
8	Sugar Creek.....	145	134	111	5	4	157	24	....	4	....	....	....	1 15	....	....	170 00	....	....	....	255	....	Fair.	....	....	....
9	Franklin.....	648	344	304	12	12	419	19	....	12	1	....	1 15	84	....	....	501 00	65	....	....	348	....	Bad.	....	....	....
10	Walnut.....	448	335	213	9	8	216	23	....	6	2	....	1 12	92	92	....	492 00	61	1	350 00	....	....	Not good.	....	....	204 28
11	Clark.....	761	358	403	9	9	433	22	....	8	1	....	1 84	1 53	....	....	550 00	54	....	....	500	....	Not good.	9	....	814 00
	Town of Crawfordsville.....	610	305	305	1	1	365	235	....	3	4	....	1 73	92	....	....	580 00	56	....	....	....	....	....	....	....	2276 53
	Total.....	7393	3890	3303	113	110	3 4978	41	47	98	22	2	2	1	30	96	....	6803 00	59	5	2053 00	3538	....	29 300	8579 52	

NO. 55. MORGAN COUNTY.

[illegible]

NO. I.—*ABSTRACT of Township School Reports.*—Continued.

NO. 56. NEWTON COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.				Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.				Average compensation per day.				Expended for tuition.		Length of school in days.		School houses erected within the year.		Books in Library.		Select Schools.		Tax collected for building, repairing, fuel, &c.
	Whole number.	Males.	Females.		Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	Males.	Females.	Male.	Female.	Male.	Female.	Male.	Female.	Number.	Value.	No. of volumes used within the year.	Condition.	Number.	Value.	No. of volumes used within the year.	Condition.	Number.	Atten'ce.
1	148	87	61	4	4	4	128	27	21	20	1	06	1	06	1	06	1	06	1	06	208	18	260	2	473	02	100	.....	3	..	256 53
2	166	85	81	3	3	3	120	20	20	1	07	65	1	07	65	1	07	65	1	07	206	00	194	2	473	02	161	.....	..	..	114 61
3	52	28	24	2	1	1	27	20	20	1	05	80	1	05	80	1	05	80	1	05	177	15	193	1	230	10	142	.....	2	22	222 00
4	215	110	99	5	5	5	166	23	19	4	92	92	4	92	92	4	92	92	4	92	207	75	230	2	400	00	.....	.....	.....	.....	115 00
5	214	119	95	4	4	4	138	13	13	3	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	154	00	167	.....	.....	.....	.....	.....	.....	.....	.....
6	105	57	48	4	3	3	579	19	19	19	2	65	1	02	65	1	02	65	1	02	1023	08	190	5	1104	72	403	.....	4	22	708 14
Total	900	492	408	25	20	20	579	19	19	19	2	65	1	02	65	1	02	65	1	02	1023	08	190	5	1104	72	403	.....	4	22	708 14

NO. 57. NOBLE COUNTY.

1	Washington.....	246	113	133	8	6	193	107	1	92	61	460 00	65	1	122 00	293	Good.	5	100	218 00
2	Sparta.....	361	186	178	6	13	340	175	7	92	37	322 00	65	1	240 00	222	Good.	...	...	451 00
3	Perry.....	752	416	342	17	11	523	356	9	12	98	785 00	65	1	375 00	479	Good.	...	...	1110 82
4	Elkhart.....	418	222	226	8	8	300	390	3	92	41	405 00	65	...	...	268	Good.	...	...	269 00
5	York.....	262	4	115	7	7	341	144	5	69	46	231 00	65	...	...	160	Good.	...	...	332 00
6	Noble.....	308	261	167	6	6	322	189	6	...	...	276 00	44	1	240 00	270	Good.	...	...	355 00
7	Green.....	374	181	167	7	9	280	159	8	70	70	302 00	64	2	629 00	...	Good.	...	...	356 00
8	Jefferson.....	384	164	220	10	10	323	210	9	56	56	413 00	44	1	330 00	287	Good.	...	...	600 00
9	Orange.....	482	262	220	10	9	320	275	4	42	42	409 00	55	1	775 00	107	Good.	...	...	469 00
10	Wayne.....	712	372	340	11	11	530	70	55	50	2 00	800 00	64	2	700 00	275	Poor.	3	62	569 00
11	Allen.....	653	345	308	12	18	515	375	10	60	60	706 00	100	2	800 00	980	Good.	...	...	844 00
12	Swan.....	420	226	194	8	9	325	179	8	37	37	383 00	64	...	...	235	Good.	...	...	440 00
	Town of Albion.....	87	34	53	1	2	70	35	1	62	62	106 00	82	...	...	...	...	...	...	164 00
	Total.....	5525	282	2663	97	119	4342	70	25	88	37	5598 00	66	13	4686 00	3276	...	8	162	6187 82

NO. 58. OHIO COUNTY.

1	Randolph.....	615	300	315	12	12	390	266	9	1 00	60	835 00	65	1	675 00	838	...	4	50	900 00
2	Union.....	274	148	126	4	4	169	100	4	1 30	...	340 00	65	2	400 00	515	...	...	...	261 10
3	Cass.....	244	134	120	6	6	...	...	...	...	...	283 00	...	...	...	...	...	...	...	167 64
4	Pike.....	248	134	114	5	5	180	121	5	1 00	71	1435 00	129	...	...	...	...	6	...	382 90
	City of Rising Sun.....	600	331	329	1	1	473	45	30	2 00	...	...	...	...	...	...	...	...	...	...
	Total.....	2041	1037	1004	28	28	21206	45	30	1 32	65	2893 00	86	3	1075 00	1253	...	10	50	1711 74

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 59. ORANGE COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of schools in days.		School houses erected within the year.		Books in Library.		Tax collected for building, repairing, fuel, &c.	
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Primary.	High.	Male.	Female.	Male.	Female.	Number.	Value.	Number of volumes.	No. of volumes used within the year.	Condition.	Number.	Select Schools.	Atten'ce.		
1	750	402	344	13	13	641	28	10	1	1 30	1 08	915	00	65	1	520	Good.	1469	00								
2	400	212	188	6	6	341	31	6	95	1 00	490	25	65	399	Good.	45	37										
3	681	362	319	8	8	468	30	8	1 00	283	00	620	00	65	336	Good.											
4	302	156	146	6	6	231	25	4	95	34	283	00			206	Good.											
5	361	197	164	6	6	231	21	4	1 90	1 90	429	00	65	190	00	500	Good.										
6	490	245	245	10	9	275	21	8	1 00	1 00	455	00	65	140	00	336	Good.										
7	400	199	201	7	7	335		4									Good.										
8	375	176	199	11	8	377	28	8	1 00	1 00	526	00	65	386	Good.												
9	630	331	299	11	8	377	28	8	1 00	1 00	262	39	60	415	Good.												
10	280	337	143	6	4	150	38	4									Good.										
Total.....	4669	2417	2252	67	60	2926	29	55	1 12	1 10	5308	64	64	2	990	00	3014		3074	92							

NO. 60. OWEN COUNTY.

1	Wayne.....	377	185	192	7	4	132	18	4	1	13	294 00	65	1	519 00	549	Good.	503 10
2	Montgomery.....	343	170	170	12	11	509	259	11	96	562 00	51	1	519 00	549	Good.	93 16	
3	Washington.....	757	343	209	6	6	345	26	6	1 03	400 00	65	1	519 00	549	Good.	93 16	
5	Morgan.....	447	173	209	6	6	345	26	6	1 03	400 00	65	1	519 00	549	Good.	93 16	
6	Jackson.....	337	185	152	6	6	245	25	5	1 00	331 00	65	1	519 00	549	Good.	93 16	
6	Harrison.....	154	75	79														
7	Clay.....	487	283	204	8	5	320	24	5	1 00	117 00	26	1	312 00	312	Good.	295 62	
8	Franklin.....	535	265	269	10	9	320	24	6	1 07	565 00	65	2	506 00	436	Good.	110 10	
9	Jefferson.....	653	337	316	12	12	569	273	12	90	960 00	80	1	506 00	436	Good.	110 10	
10	Marion.....	693	324	369	10	10	589	324	9	1 00	610 00	46	1	506 00	436	Good.	362 58	
11	Lafayette.....	615	258	257	9	9	382	204	9	95	555 00	65	1	506 00	436	Good.	362 58	
12	Jennings.....	259	133	126	4	4	125	93	2	82	50 00	15	1	506 00	436	Good.	2 40	
13	Taylor.....	216	113	103	4	6	321	25	3	82	50 00	15	1	506 00	436	Good.	2 40	
Total.....		5773	2981	2792	84	76	3216	23	75	98	4444 00	53	3	1331 00	2017	Good.	1364 46	

NO. 61. PARKE COUNTY.

1	Adams.....	892	467	425	12	12	591	329	10	2	1 29	523 00	90	3	1884 00	580	Worn.	1259 37
2	Washington.....	422	213	209	8	10	288	116	5	5	1 15	240 00	81	1	300 00	346	Good.	124 37
3	Sugar Creek.....	248	130	118	5	5	316	123	4	1	1 15	240 00	81	1	300 00	346	Good.	124 37
4	Liberty.....	416	209	207	8	8	316	123	7	1	1 38	370 00	99	1	327 00	168	Good.	661 27
5	Reserve.....	251	150	101	7	7	240	228	6	6	1 38	370 00	99	1	327 00	168	Good.	661 27
6	Wabash.....	355	193	62	6	6	300	40	6	6	1 38	370 00	90	1	450 00	400	Good.	1126 98
7	Florida.....	692	305	297	11	11	400	30	10	1	1 25	500 00	65	1	500 00	400	Good.	1126 98
8	Raccoon.....	451	243	208	8	8	400	28	5	3	1 25	500 00	90	2	700 00	318	Bad.	270 00
9	Jackson.....	415	223	192	9	9	606	27	7	1	1 34	1005 60	1	400 00	388	Worn.	607 15	
10	Union.....	475	248	227	9	9	606	27	10	1	1 20	613 75	50	2	800 00	400	Good.	1098 83
11	Greene.....	592	271	231	10	10	430	28	8	2	1 15	338 25	65	1	440 00	213	Good.	538 22
12	Penn.....	401	124	207	7	7	232	100	4	3	2 08	1 13	247 00	1	340 00	200	Good.	66 82
13	Howard.....	255	140	115	6	5	146	77	4	1	1 15	75	247 00	1	340 00	200	Good.	66 82
	Town of Rockville.....	240	124	114	1	1	100	80	1	2	2 30	1 15	225 00	90	1	277 55		
	Town of Montezuma.....	143	65	78	1	1	116	1	1	1	2 30	1 15	225 00	90	1	277 55		
Total.....		6068	3177	2891	108	108	23025	400	29	180	87	20	3	1 30	7521 00	3303		6030 56

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 62. PERRY COUNTY.

Number of Townships.	Children be- tween the ages of 5 and 21 years.			Number of Districts.		Primary. Number and grade of school.		Pupils attend'g during the year.		Average daily attendance per school.		No. of Teachers.				Average compensation per day.				Expended for tuition.		Length of Schools in days.		Value. School houses erected within the year.		Books in Library.		Attend'ce.		Tax collected for building, repairing, fuel, &c.	
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Number.	Value.	Number of volumes. within the year.	Condition.	Number.	Select Schools.	Number.	Attend'ce.	Number.	Value.		
1	Troy.....	639	343	296	6	6	9	355	38	38	7	1	...	1	1	1	1	92	1	1	767 00	87	1	374 00	781	...	...	...	...	6030 56
2	Anderson.....	393	195	198	7	7	8	278	138	138	8	...	...	...	...	...	...	...	...	...	404 00	87	3	225 00	442	...	...	...	...	...
3	Clark.....	411	212	199	9	9	13	472	42	42	13	2	2	1	1	1	1	80	1	1	1284 00	87	1	450 00	...	...	...	...	...	...
4	Tobin.....	879	472	407	13	13	1750	630	630	630	4	...	...	...	...	...	...	...	...	...	400 00	65	2	550 00	270	...	...	...	...	...
5	Union.....	475	249	226	8	8	172	42	42	42	6	1	...	...	...	...	...	...	...	...	375 00	65	1	95 00	...	...	...	...	...	...
6	Oil.....	389	187	202	8	7	248	118	118	118	4	...	...	...	...	...	...	...	...	...	375 00	65	1	169 00	360	...	...	...	...	...
7	Leopold.....	323	163	160	5	5	195	120	120	120	5	...	...	...	...	...	...	...	...	...	800 00	130	...	...	400	...	...	...	...	...
1	Town of Cannelton.....	777	402	375	1	1	746	487	487	487	2	3	...	2	2	2	2	1 00	...	...	800 00	130	...	...	400	...	...	...	...	...
1	Town of Tell City.....	221	110	111	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4030 00	83	8	1863 00	2253	...	...	...	...	...
	Total.....	4507	2333	2174	60	47	1	30	30	30	45	7	2	1	1	1	1	87	...	...	4030 00	83	8	1863 00	2253	...	...	...	...	...

[illegible]

NO. 64. PORTER COUNTY.

[illegible]

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 65. POSEY COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.		Number of Districts.		Number and Grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Books in Library.		Tax collected for building, repairing, fuel, &c.		
	Whole number.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Number.	Value.	Number.	Number of volumes.	No. of volumes used within the year.	Condition.	Number.	Attention.	
1	1926	1026	906	19	19	19	19	912	695	18	9	1	12	96	2025 00	400 00	65	1	100 00	750	512	60	Good.	...	...	36 64
2	508	278	230	4	4	4	4	210	130	4	4	1	33	...	...	...	...	...	...	...	...	...	...	...	...	...
3	215	130	85	4	4	4	4	120	75	4	4	1	16	...	...	...	...	...	...	...	...	...	...	...	...	...
4	604	336	268	8	8	8	8	384	201	8	8	1	62	...	...	...	...	...	...	...	...	...	...	...	...	...
5	543	283	254	7	7	7	7	341	180	7	7	1	63	...	...	...	...	...	...	...	...	...	...	...	...	...
6	627	340	287	11	10	11	10	350	250	8	6	1	14	96	485 00	450 00	90	1	450 00	430	430	60	Good.	...	...	...
7	503	282	221	7	7	7	7	250	340	6	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
8	302	166	136	6	6	6	6	250	160	5	1	1	04	69	295 00	281	106	...	...	...	...	...	...	...	...	...
9	198	100	98	2	2	2	2	96	35	...	...	1	25	...	...	...	...	...	...	...	...	...	...	...	...	...
10	319	177	142	5	4	5	4	100	80	4	...	1	08	...	...	...	...	...	...	...	...	...	...	...	...	...
Town of New Harmony.....	274	142	132	...	...	...	...	...	...	...	...	...	...	...	350 00	166	...	...	...	...	...	...	...	...	...	...
Total.....	3016	3200	2759	76	71	76	71	2763	29	64	10	1	20	87	4758 00	804 00	74	6	804 00	3081	3117	347 64

NO. I.—ABSTRACT of Township School Reports.—Continued.

[illegible]

NO. 72. SHELBY COUNTY.

1	Jackson.....	495	278	217	9	9	324	228	9	1	37	680	70	55	2	1445	00	391	Good.	9	354	1649	64
2	Washington.....	398	216	182	7	6	120	120	5	1	05	400	00	65	4	2200	00	327	Good.	4	75	1129	35
3	Noble.....	595	313	282	11	10	486	248	9	99	79	900	00	32	1	500	00	430	Good.	4	75	967	20
4	Liberty.....	579	280	259	8	7	350	350	5	2	16	502	50	65	...	...	372	Good.	...	...	118	50	
5	Addison.....	924	488	436	13	13	647	372	9	4	14	1068	02	75	...	...	784	Good.	4	...	1164	60	
6	Hendricks.....	618	293	325	10	6	264	120	6	...	1	391	45	65	1	200	00	459	Good.	...	...	413	81
7	Sugar Creek.....	375	216	159	6	5	270	15	6	...	1	479	27	75	...	...	325	Bad.	3	...	640	56	
8	Brandywine.....	412	204	208	5	5	278	164	4	1	20	397	82	65	...	...	300	Bad.	...	...	524	58	
9	Marion.....	284	153	144	6	5	227	160	4	1	24	560	00	75	1	290	00	300	Bad.	6	135	483	40
10	Union.....	437	240	197	6	6	207	162	6	...	1	401	10	45	2	1000	00	600	Bad.	...	...	624	24
11	Hanover.....	595	314	281	9	8	380	226	7	1	12	468	15	57	2	563	00	290	Bad.	...	...	780	89
12	Van Buren.....	481	249	232	8	7	276	176	6	1	04	715	00	65	...	...	440	Bad.	...	...	...	...
13	Moral.....	598	232	306	11	14	453	392	11	...	1	...	...	...	...	1977	00	...	...	5	400	780	89
	Town of Shelbyville.....	698	333	335	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total.....	7469	3859	3600	109	99	14434	15	27	1587	12	1	1	1	1	8174	00	5303	...	31	904	8637	31

NO. 73. SPENCER COUNTY.

1	Lure.....	524	274	250	12	9	389	192	8	1	1 16	538	00	65	2	600	00	445	Good.	...	...	925	48
2	Ohio.....	861	425	436	16	15	614	277	13	2	1 80	810	00	65	...	...	700	Good.	...	...	1123	90	
3	Hommond.....	740	403	337	11	11	431	256	10	1	1 12	945	00	...	2	775	00	380	Good.	5	90	717	52
4	Huff.....	406	256	210	8	8	...	...	...	...	96	...	...	65	1	308	00	305	Good.	...	...	...	...
5	Harrison.....	659	351	298	8	8	380	197	8	...	85	539	00	65	...	...	380	Good.	...	2	70	102	39
6	Center.....	454	237	217	5	6	306	164	3	2	1 15	451	00	65	1	251	00	272	Good.	...	...	710	48
7	Jackson.....	355	178	177	5	5	244	129	5	...	96	...	...	65	1	475	00	250	Good.	2	...	387	00
8	Grass.....	589	300	289	11	11	419	23	9	2	1 00	714	00	65	1	290	00	290	Good.	...	...	602	24
9	Clay.....	407	223	178	8	8	360	27	8	...	1 00	630	00	88	1	350	00	185	Good.	4	100	475	37
10	Town of Rockport.....	573	247	225	2	2	200	160	3	2	1 54	600	00	107	...	...	...	...	Good.	4	50	579	38
	Total.....	5522	2904	2618	87	82	3433	25	67	10	1 15	5619	00	72	9	3049	00	3207	...	17	310	5683	38

NO. 75. STEUBEN COUNTY.

1	Millgrove.....	329	165	164	5	4	254	221	1	7	90	34	199	50	44	1	300	00	230	Good.	1	117	278	85
2	Jamestown.....	209	114	95	7	7	199	145	3	5	66	40	160	44	44	...	222	...	222	Good.	...	186	22	
3	Tremont.....	267	143	124	6	6	167	53	116	32	69	48	30	111	45	76	...	250	...	...	305	00	
4	Clear Lake.....	117	163	54	3	3	96	51	...	6	...	53	...	153	00	132	...	108	...	...	71	60	
5	York.....	343	167	182	6	6	420	299	4	9	45	32	...	372	52	65	1	324	00	200	Good.	158	00	
6	Scott.....	303	156	147	7	7	273	180	3	5	54	25	...	379	18	132	...	243	...	...	279	70	
7	Pleasant.....	420	226	194	6	6	246	127	6	3	83	40	...	397	32	64	...	278	...	...	693	00	
8	Jackson.....	410	205	208	9	8	556	356	4	13	78	48	...	497	89	132	3	1053	00	267	...	381	22	
9	Salem.....	472	254	218	11	10	365	210	7	13	79	45	...	597	99	99	...	300	...	Not good.	...	...	...
10	Steuben.....	427	229	198	10	10	360	266	8	2	79	45	...	500	00	66	2	625	00	263	Good.	425	50	
11	Osteo.....	437	203	234	10	10	338	213	10	7	68	33	...	481	00	65	1	280	00	290	Good.	393	61	
12	Richland.....	230	121	109	3	3	138	69	3	3	90	31	...	246	00	65	...	227	...	Good.	...	67	31	
Total.....		3970	2046	1924	83	80	13392	53	28	32	51	78	71	4276	00	82	8	2582	00	2908	1	117	3146	00

NO. 76. ST. JOSEPH COUNTY.

1	Olive.....	457	249	208	7	7	400	300	4	8	1	38	441	14	65	...	275	...	275	Good.	...	175	14
2	Warren.....	209	139	134	5	5	221	132	5	...	90	69	300	00	65	3	750	00	300	Good.	...	320	00
3	German.....	296	152	144	5	5	233	109	5	3	1	15	484	26	66	1	510	00	260	Good.	...	771	84
4	Clay.....	360	211	149	5	5	119	77	2	2	1	00	245	00	80	...	300	...	300	Good.	...	651	29
5	Harrison.....	123	64	59	3	4	686	392	11	3	1	00	586	00	65	1	500	00	600	Bad.	...	321	34
6	Penn.....	798	442	356	14	14	308	300	7	...	1	15	300	00	35	1	800	00	700	Good.	...	873	75
7	Portage.....	608	334	274	7	7	308	300	7	...	1	15	300	00	35	1	800	00	700	Good.	...	772	00
8	Centre.....	248	124	124	6	6	195	160	5	1	90	50	239	90	65	1	375	00	259	Good.	...	420	00
9	Green.....	362	182	180	6	8	343	226	4	4	90	50	488	06	65	1	500	00	590	Good.	...	245	60
10	Union.....	557	282	265	9	9	379	239	5	4	1	00	567	35	55	1	260	00	480	Good.	...	518	00
11	Liberty.....	671	356	315	13	13	512	318	7	6	1	00	567	35	55	1	260	00	480	Good.	...	807	74
12	Madison.....	407	204	203	9	8	303	159	5	3	1	00	567	35	55	1	260	00	480	Good.	...	478	80
Town of Mishawaka.....		583	330	253	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	822	40
Town of Southbend.....		1118	558	560	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2023	19
Total.....		6857	3637	3220	89	91	3596	26	65	29	1	05	3647	71	63	10	3873	00	4184	...	5200	7200	99

NO. I.—ABSTRACT of Township School Reports.—Continued.

NO. 77. SULLIVAN COUNTY.

Number of Townships.	NAMES OF TOWNSHIPS.										Number of Districts.										Grade and		Pupils attending		Average daily		No. of Teachers.				Average compensation per day.				Expended for tuition.		Length of Schools in days.		Number of School houses erected within the year.		Books in Library.		Condition.		Number.		Tax collected for building, repairing, fuel, &c.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
	Children between the ages of 5 and 21 years.		Whole number.		Females.		Primary.		High.		Primary.		High.		Average daily attendance per school.		Male.		Female.		Primary.		High.		Male.		Female.		Male.		Female.		Length of Schools in days.		Number.		Value.		No. of volumes used within the year.		Condition.		Number.		Attendce.		Select Schools.		Tax collected for building, repairing, fuel, &c.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										

1	Jefferson.....	759	372	357	10	11	617	388	6	1	10	96	1175 00	120	525 00	500	Not good.	10 300	343 32
2	York.....	564	292	272	8	6	575	152	11	1	87	1 06	407 00	65	400	400	Bad.	2	...
3	Posey.....	614	308	308	13	12	575	152	11	1	1 23	77	735 00	65	430	430	Good.	...	254 25
4	Cotton.....	730	422	308	9	9	589	337	8	2	1 13	1 06	743 00	65	...	...	Good.	...	419 91
5	Pleasant.....	845	468	377	14	14	590	27	13	1	64	77	1114 00	120	2 500 00	600	Good.	6	540 25
6	Craig.....	815	447	378	12	13	625	334	13	1	77	...	780 00	65	1 295 00	524	Good.	...	807 01
	Town of Vevay.....	451	206	245	1	6	1 400	60	100	63	2	3 19	1 27	729 00	...	...	...	3 50	...
	Town of Patriot.....	153	80	73	...	...	...	...	...	...	1 42	...	...	...	...	...	...	...	...
	Total.....	4031	2585	2346	67	71	1 331 00	60	42	63	53	91	5675 00	80	3 1320 00	2834	...	21 350	2364 74

NO. 79. TIPPECANOE COUNTY.

1	Lauramie.....	625	321	304	12	12	360	200	9	2	1 15	62	755 00	...	3 1025 00	400	...	...	475 88
2	Randolph.....	353	196	157	5	5	300	240	3	3	1 42	99	392 00	63	1 675 00	397	Good.	1	428 93
3	Jackson.....	448	242	206	7	7	...	231	6	1	1 45	78	600 00	65	2 1350 00	...	...	...	310 25
4	Wayne.....	542	271	241	8	6	...	...	8	2	1 23	78	700 00	...	...	...	...	...	958 21
5	Sheffield.....	573	206	167	9	9	...	...	7	1	1 50	1 00	...	46	...	...	...	...	815 49
6	Perry.....	414	220	194	9	8	290	176	...	...	75	55	...	50	1 320 00	400	Good.	1	194 95
7	Washington.....	405	207	198	...	...	...	...	...	...	...	...	...	...	...	...	...	...	51 20
8	Tippicanoe.....	697	364	333	9	9	1 400	250	130	7	2 1 55	59	145 00	63	2 1000 00	...	...	...	702 87
9	Wabash.....	589	301	288	9	9	243	243	8	1	1 54	65	468 00	52	1 800 00	...	...	...	540 13
10	Shelby.....	365	201	164	6	6	...	126	6	...	55	...	660 00	65	1 450 00	...	...	...	543 00
11	Fairfield.....	769	390	379	...	...	...	...	...	...	...	...	...	...	...	...	...	...	556 88
12	Wea.....	340	186	154	...	...	...	...	...	...	...	...	...	...	...	...	...	...	453 06
	Town of Lafayette.....	2201	1087	1114	3	13	235	619	...	414	2 07	1 15	1196 00	53	11 5615 00	1257	...	...	980 54
	Total.....	8001	4192	3899	77	84	3 5534	250	30	130	58	79	5716 00	457	22 11240 00	2514	...	2	7011 39

NO. I.—*ABSTRACT of Township School Reports.*—Continued.

NO. 80. TIPTON COUNTY.

Number of Townships.	NAMES OF TOWNSHIPS.	Children be- tween the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.				Average compensation per day.				Expended for tuition.		Length of school in days.		School houses erected within the year.		Value.		Number of volumes, No. of volumes used within the year.		Books in Library.		Condition.		Number.		Tax collected for building, repairing, fuel, &c.	
		Whole number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	Male.	Female.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.			
1	Madison.....	483	262	227	10	10	450	27	27	27	27	27	10	12	12	12	1 00	1 00	1 00	1 00	650 00	650 00	57	57	52	52	200 00	200 00	200	200	151 00	151 00						
2	Cairo.....	556	294	262	11	12	468	21	21	21	21	21	12	9	9	9	1 00	1 00	1 00	1 00	691 00	691 00	43	43	32	32	100 00	100 00	500	500	431 00	431 00						
3	Jefferson.....	468	228	240	10	9	325	22	22	22	22	22	9	9	9	9	1 12	1 12	1 12	1 12	469 00	469 00	43	43	31	31	100 00	100 00	325	325	412 00	412 00						
4	Prairie.....	455	258	289	9	9	394	42	42	42	42	42	9	9	9	9	1 10	1 10	1 10	1 10	700 00	700 00	55	55	2	2	200 00	200 00	135	135	172 00	172 00						
5	Liberty.....	465	237	228	10	8	300	19	19	19	19	19	7	1	1	1	1 00	1 00	1 00	1 00	715 00	715 00	65	65	2	2	184	184	184	184	.....	.....				
6	Wild Cat.....	291	155	135	5	5	5	5	5	5	2 60	1 00	1 00	1 00				
	Town of Tipton.....	252	132	120	2	2	191	.....	.....	.....	.....	.....	1	1	1	1	1 20	87	87	87	3225 00	3225 00	64	64	5	5	900 00	900 00	1451	1451	1366 00	1366 00	
	Total.....	3078	1576	1502	57	55	1941	29	29	29	29	29	53	2	2	2	1 20	87	87	87	3225 00	3225 00	64	64	5	5	900 00	900 00	1451	1451	1366 00	1366 00						

1	Center.....	447	232	215	8	338	22	7	4	1	66	678	91	108
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NO. 82. VANDERBURG COUNTY.

1	Pigeon.....	690	388	302	3	3	175	41	3	1	1	00	26	1082	52	200	1	340	00	967	Good.	3	881	68
2	Knight.....	301	137	164	6	9	161	.....	17	.....	3	1	.....	1	12	1	00	.....	.....	353	00	75	.....	.....	430	.....	Good.	.....	3	.....	96	10
3	Scott.....	528	269	259	9	9	364	.....	23	.....	8	1	.....	1	00	75	.....	.....	.....	625	00	75	.....	.....	504	.....	Good.	.....	.....	.....	213	20
4	Armstrong.....	447	224	223	5	5	206	.....	24	.....	5	.....	.....	1	00	.....	.....	.....	.....	304	00	68	1	200	00	475	.....	Good.	.....	.....	307	00
5	Perry.....	442	260	192	5	5	150	.....	16	.....	5	.....	.....	1	00	.....	.....	.....	.....	412	00	100	.....	.....	441	.....	Good.	.....	.....	.....	.....	.....
6	Union.....	135	103	92	7	.....	170	.....	17	.....	4	2	.....	1	25	75	.....	.....	.....	400	00	65	.....	.....	290	.....	Good.	.....	.....	581	36	
7	Center.....	259	290	259	6	7	396	.....	28	.....	7	.....	.....	1	16	1	00	.....	.....	545	30	70	1	328	00	481	.....	Good.	.....	450	71	
8	German.....	632	334	296	5	5	242	.....	25	.....	4	1	.....	1	00	.....	.....	.....	.....	430	00	105	.....	.....	480	.....	Good.	.....	.....	.....	.....	.....
	City of Evansville.....	4348	2210	2138	...	14	1	1901	79	78	56	4	25	2	1	2	00	1	00	2	33	1	11500	00	.....	.....	Good.	.....	.....	5300	3296	15
	Total.....	8142	4217	3925	46	60	1	3745	79	29	56	45	31	2	1	1	19	72	2	33	1	17	12853	82	107	4	124	58	00	3978	5825	71	

NO. 1.—ABSTRACT of Township School Reports.—Continued.

NO. 83. VERMILLION COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of schools in days.		Value of school houses erected within the year.		Number of volumes.		Books in Library.		Condition.		Number.		Tax collected for building, repairing, fuel, &c.	
	Whole number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Days.	Number.	Value.	Number.	No. of volumes used within the year.	Condition.	Number.	Condition.	Number.	Value.			
1 Highland.....	839	417	422	11	11	...	...	395	...	240	...	4	3	...	...	1 16	70	...	...	65	1	400 00	625	...	Good.	...	...	...	2438 00
2 Eugene.....	407	242	225	...	7	...	...	...	...	...	...	...	...	...	...	1 16	...	...	...	65	1	635 00	500	...	Good.	...	...	...	1025 00
3 Vermilion.....	697	324	283	...	10	...	...	...	...	...	...	9	1	...	...	...	...	...	...	60	...	870 00	...	...	...	...	...	...	859 00
4 Holt.....	1002	525	477	16	15	...	...	662	...	359	...	11	5	...	...	96	60	...	...	60	...	812 00	...	...	Good.	...	...	...	1438 00
5 Clinton.....	525	275	252	368	7	4	65	2	900 00		
Town of Clinton.....	154	80	74	96	843 00		
Total.....	3594	1861	1733	27	43	1455	...	223	...	3113	...	1 03	63	63	5	2295 00	1126	5650 00		

NO. 87. WARRICK COUNTY.

1	Anderson.....	280	143	137	3	3	150	25	3	1 50	320 00	130	400	2 30	...
2	Boone.....	1244	609	575	18	18	625	35	16	1 50	950 00	52	430 00	2 30	...
3	Campbell.....	368	197	171	5	5	327	32	5	1 25	400 00	65	280 00	2 25	...
4	Hunt.....	647	334	313	8	8	459	32	8	1 00	490 00	65	875 00	2 39	562 00
5	Ohio.....	887	435	492	12	12	300	35	10	1 50	750 00	65	550	...	...
6	Owen.....	334	181	153	5	5	360	25	4	1 00	325 00	65	500 00	120	...
7	Pigeon.....	445	225	220	6	6	280	25	3	1 00	315 00	45	...	...	192 00
8	Skelton.....	432	225	207	7	7	360	20	7	1 00	240 00	35	225 00	215	...
9	Greer.....	303	154	149	6	6	288	32	6	1 25	150 00	50	121	...	62 00
10	Lane.....	224	124	100	4	2	60	35	2	1 00	...	...	...	...	...
	Town of Boonville.....	153	80	73	2	2	150	35	1	1 50	1 25	...	...	2 40	...
	Total.....	5317	2767	2560	74	74	3689	29	67	1 23	3940 00	42	8	2360 00	8125

NO. 88. WASHINGTON COUNTY.

1	Gibson.....	601	311	290	10	9	355	257	9	1 00	395 00	65	2	202 00	458	646 C4
2	Monroe.....	401	199	202	7	5	146	136	4	1 11	359 00	65	...	...	...	13 00
3	Jefferson.....	492	250	242	9	8	310	180	7	1 13	495 00	77	...	...	...	30 00
4	Brown.....	505	274	231	9	9	319	319	...	1 13	495 00	...	...	...	...	1092 05
5	Vernon.....	420	223	197	9	9	364	...	...	1 13	262 00	...	...	...	...	488 00
6	Washington.....	1379	721	658	20	16	730	480	8	1 13	959 00	87	...	...	...	1844 02
7	Franklin.....	629	355	274	10	10	490	280	14	1 13	1204 00	65	6	2675 00	1200	271 97
8	Polk.....	442	224	218	7	7	329	183	9	1 14	936 00	75	...	...	...	32 66
9	Pierce.....	420	212	208	8	2	100	60	7	1 00	495 00	70	...	...	...	919 02
10	Howard.....	382	216	167	8	5	214	128	2	1 00	100 00	50	4	...	...	182 77
11	Madison.....	201	109	92	4	2	60	...	1	1 00	323 00	42	...	...	453	...
12	Posey.....	369	187	182	...	...	...	...	1	1 00	135 00	...	...	...	15	...
13	Jackson.....	289	144	145	4	4	203	106	4	1 25	325 00	65	...	...	310	72 54
	Town of Hardinsburg.....	95	46	49	...	...	...	...	...	...	...	...	...	...	...	...
	Town of Livona.....	85	42	43	...	...	...	...	...	...	...	...	...	...	...	...
	Total.....	6711	3513	3198	105	77	3351	28	59	1 11	5982 00	60	12	3227 00	1347	5549 07

NO. 1.—*ABSTRACT of Township School Reports.*—Continued.

NO. 89. WAYNE COUNTY.

Number of Township.	Children between the ages of 5 and 21 years		Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		Value of School houses erected within the year.		Books in Library.		Condition.		Tax collected for building, repairing, fuel, &c.
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Primary.	High.	Males.	Females.	Male.	Female.	Number.	Within the year.	No. of volumes used within the year.	Number.	School houses erected within the year.	Number.	Within the year.	No. of volumes used within the year.		
1	324	171	153	9	278	...	207	...	5	2	1	...	1 24	93	...	763 39	65	Good.	...	801 25
2	353	183	170	6	253	...	180	...	4	2	1 52	465 07	130	Good.	...	80 34
3	738	387	351	10	680	...	350	...	1	1	1 19	254 40	80	Good.	...	2448 99
4	274	142	132	4	200	...	108	...	3	1	1 15	69	...	340 00	65	...	1	1120 00	Good.	...	779 00
5	287	145	142	4	225	...	147	...	4	1 36	060 00	65	Good.	...	91 93
6	501	258	243	8	454	...	262	...	6	5	1 16	1 04	...	117 65	65	Good.	...	618 69
7	547	293	254	8	412	...	232	...	3	5	1 33	1 35	...	645 00	60	Good.	...	1283 83
8	231	178	113	4	165	...	94	...	3	1 66	298 00	42	Good.	...	1518 12
9	471	243	233	6	...	...	231	...	232	...	5	1	...	...	1 43	1 36	...	654 00	65	...	790	...	...	Poor.	...	1093 94
10	486	251	235	7	...	...	352	...	122	...	6	...	...	...	1 49	1 49	...	679 00	65	...	518	500	...	Poor.	...	430 00
11	350	180	190	7	206	...	144	...	8	3	1 13	77	...	497 15	50	Good.	...	3187 99
12	300	171	129	5	...	...	246	...	171	...	3	2	...	...	1 52	84	...	224 56	53	...	414	...	...	Good.	...	260
13	427	221	206	9	...	...	382	...	210	...	7	4	...	...	1 25	71	...	754 00	65	...	577	...	...	Good.	...	1 27
14	1323	688	635	14	...	...	677	...	424	...	5	9	...	...	1 50	1 10	...	1149 00	65	...	1065	...	...	Good.	...	3 45
15	252	179	173	1	...	...	150	...	52	...	3	3	...	...	2 07	1 03	...	349 59	87	...	...	...	...	Good.	...	3187 99
16	498	254	244	2	...	...	...	...	...	...	3	3	...	...	2 07	1 03	...	405 90	42	...	...	...	...	Good.	...	300 46
17	400	201	199	2	...	...	201	...	129	...	1	2	...	...	2 21	84	...	434 00	...	...	...	...	...	Good.	...	12 00
18	131	62	72	1	...	...	30	...	...	...	...	...	...	...	...	...	...	150 00	87	...	...	...	...	Good.	...	252 17
19	211	85	126	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Good.	...	197 22
20	340	179	161	1	...	...	241	...	140	...	3	1	...	...	1 59	55	...	317 50	65	...	...	...	...	Good.	...	88 00
21	136	65	71	1	...	...	66	...	47	...	1	1	...	...	1 38	69	...	135 00	65	...	...	...	...	Good.	...	...
22	1988	1125	863	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Good.	...	...
23	98	53	45	1	...	...	78	...	51	...	...	...	...	...	1 36	...	...	86 30	58	...	...	...	...	Good.	...	...
24	1076	5649	5120	99	111	15686	80	56	56	...	80	51	1	...	1 45	99	...	9998 55	67	...	2195 00	4531	1256	...	Good.	...	320 46

NO. 90. WELLS COUNTY.

1	Jackson.....	424	221	203	9	10	374	24	9	1	91	20	540	90	56	375	Good.	333	19		
2	Chester.....	417	229	188	7	7	341	29	7	2	85	26	432	00	80	395	00	315	220	45	
3	Liberty.....	246	135	111	5	5	191	22	4	...	75	61	230	00	65	350	00	245	192	61	
4	Rock Creek.....	514	284	230	10	10	437	25	9	1	79	75	505	00	65	1	290	00	286	435	43
5	Union.....	476	244	232	9	9	350	22	8	1	92	92	540	00	65	...	...	384	465	39	
6	Nottingham.....	450	230	236	11	11	425	25	10	1	84	84	773	00	65	1	345	00	...	1344	17
7	Harrison.....	597	319	278	14	14	597	27	14	...	95	...	650	00	65	...	...	396	718	91	
8	Lancaster.....	530	282	248	12	11	455	29	11	...	97	...	682	00	65	2	490	00	400	317	49
9	Jederson.....	890	358	252	12	11	490	28	11	...	1 14	...	690	00	65	2	490	00	400	317	49
	Town of Bluffton.....	325	164	161	4	3	251	33	150	21	3	...	400	00	87	...	...	...	...	322	64
	Total.....	4585	2446	2139	93	91	3911	33	38	2186	7	89	5352	00	68	5	1870	00	2401	4659	23

NO. 61. WHITE COUNTY.

1	Prairie.....	572	305	267	11	10	445	356	8	2	1 23	1 00	770 00	65	...	...	...	1004 34
2	Big Creek.....	216	126	90	6	5	175	57	5	...	1 15	...	213 00	65	1	400 00	300	263 31
3	Union.....	550	304	257	10	9	401	280	41	7	1 15	76	684 00	86	1	500 00	Good.	619 25
4	Marion.....	313	166	147	8	7	228	126	6	1	92	69	350 00	56	1	284 00	88	392 19
5	Liberty.....	301	162	139	6	8	320	216	...	5	1 15	61	570 00	65	...	...	Good.	181 00
6	Jackson.....	476	244	232	8	7	320	182	60	7	1 10	...	495 00	65	1	500 00	Good.	237 00
7	Princeton.....	273	155	118	6	4	450	87	3	1	1 63	77	183 00	65	...	...	Good.	311 71
8	West Point.....	161	97	67	3	4	198	102	2	2	91	62	271 00	85	...	...	Good.	286 07
9	Cass.....	175	90	85	5	5	144	87	...	5	92	...	297 00	...	...	...	Good.	85 00
10	Honey Creek.....	135	70	65	2	1	80	30	1	...	1 45	...	125 00	87	...	...	Good.	204 00
11	Round Creek.....	48	25	23	1	1	23	13	1	...	1 23	...	61 00	...	...	...	Good.	62 15
Total.....		4228	1744	1481	66	61	22607	253	47	5050	11	73	3310 00	71	4	1784 00	1389	3586 32

NO. 92. WHITLEY COUNTY.

Number of Townships.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.				Expended for tuition.		Length of Schools in days.		School houses erected within the year.		Books in Library.		Condition.		Number.		Attendce.		Tax collected for building, repairing, fuel, &c.	
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Primary.	High.	Males.	Females.	Primary.		High.		Male.	Female.	Male.	Female.	Number.	Value.	No. of volumes used within the year.	Number of volumes.	No. of volumes used within the year.	Condition.	Number.	Select schools.	Attendce.	Tax collected for building, repairing, fuel, &c.		
														Males.	Females.	Males.	Females.																
1	534	292	242	9	10	443	242	242	242	8	2	1	06	69	634	56	65	65	2	380	25	412	412	Good.	Good.	...	...	...	...	596	44
2	525	283	242	11	10	456	293	293	293	10	...	92	43	235	94	
3	464	250	214	11	11	382	35	35	35	8	3	71	68	43	296	70	
4	370	183	187	9	9	388	110	110	110	8	2	87	71	68	426	95	65	65	1	185	00	269	269	Good.	Good.	...	...	...	...	188	00
5	419	232	167	9	9	388	296	296	296	8	1	71	71	71	315	00	55	55	1	250	00	516	516	Good.	Good.	...	...	...	...	222	13
6	391	194	197	10	8	388	296	296	296	8	1	1	00	1	270	00	30	30	2	544	00	295	295	Good.	Good.	...	...	...	...	281	51
7	386	203	183	6	6	328	198	198	198	8	1	77	77	77	469	00	62	62	2	544	00	275	275	Good.	Good.	...	...	...	...	255	28
8	405	203	202	10	9	328	198	198	198	8	1	85	72	85	469	00	62	62	2	544	00	275	275	Good.	Good.	...	...	...	...	117	12
9	122	56	66	3	3	310	200	200	200	6	1	88	88	88	200	00	35	35	262	262	Good.	Good.	
10	377	211	166	8	7	194	170	170	170	6	1	1	25	...	200	00	35	35	262	262	Good.	Good.	3	185	
Town of Columbia.....	252	129	123	1	1	194	170	170	170	6	1	1	25	...	200	00	35	35	262	262	Good.	Good.	
Total.....	4245	2236	1989	87	83	2507	23	23	23	70	12	91	70	70	2345	51	56	56	9	2174	25	2342	2342	Good.	Good.	7	187	2400	36

NO. II. Summary of Township School Reports by Counties.

Number of Counties.	Children between the ages of 5 and 21 years.			Number of Districts.		Number and Grade of school.		Pupils attending during the year.		Average daily attendance per school.		No. of Teachers.		Average compensation per day.		Expended for tuition.		Length of Schools in days.	School houses erected within the year.		Number of volumes used within the year.		Books in Library.		Select Schools.		Tax collected for building, repairing, fuel, &c.				
	Whole Number.	Males.	Females.	Primary.	High.	Primary.	High.	Primary.	High.	Male.	Female.	Male.	Female.	Male.	Female.	Value.	Number.		Number of volumes.	Number within the year.	Number.	Number.	Number.	Number.	Number.	Number.					
1	Adams.....	3891	2065	1826	83	78	2559	20	69	10	64	91	56	93	10037	63	1	175 00	4138 00	563 00	63	1	175 00	4138 00	563 00	63	1	175 00	4138 00	563 00	2427 23
2	Allen.....	13028	6745	6283	154	144	7050	26 31	115	62	93	56	93	10037	63	1	175 00	4138 00	563 00	63	1	175 00	4138 00	563 00	63	1	175 00	4138 00	563 00	13260 18	
3	Bartholomew.....	7401	3804	3597	92	22	4531	46 300	14	3	3	1	22	85	2 001 00	8514 00	70	8	2045 00	8514 00	70	8	2045 00	8514 00	70	8	2045 00	8514 00	70	5560 74	
4	Benton.....	997	504	493	18	18	774	335 17	27	12	1	14	67	81	49	1821 00	65	3	1075 00	1821 00	65	3	1075 00	1821 00	65	3	1075 00	1821 00	65	941 00	
5	Blackford.....	1741	906	833	42	39	1338	29	27	12	1	14	67	81	49	4643 00	56	8	2360 00	4643 00	56	8	2360 00	4643 00	56	8	2360 00	4643 00	56	140	
6	Boone.....	6454	3437	3017	102	79	3269	45	64	15	1	05	81	1	05	4212 18	60	21	4815 00	4212 18	60	21	4815 00	4212 18	60	21	4815 00	4212 18	60	128	
7	Brown.....	2752	1527	1225	51	37	1650	26	36	1	1	25	104	1	25	2568 00	57	2	322 00	2568 00	57	2	322 00	2568 00	57	2	322 00	2568 00	57	280	
8	Carroll.....	4949	2623	2326	88	77	3017	43	79	16	1	47	21	21	21	5711 02	3	3	1352 00	5711 02	3	3	1352 00	5711 02	3	3	1352 00	5711 02	3	50	
9	Cass.....	6191	3230	2961	93	91	3797	325 94	83	12	6	21	25	1	00	5910 74	67	9	3031 50	5910 74	67	9	3031 50	5910 74	67	9	3031 50	5910 74	67	140	
10	Clark.....	7202	3729	3473	85	91	3774	100 40	83	12	6	21	25	1	00	9207 00	75	9	4123 00	9207 00	75	9	4123 00	9207 00	75	9	4123 00	9207 00	75	160	
11	Clay.....	4852	2703	2149	78	71	2131	22	65	6	1	05	60	1	05	3800 00	62	16	4714 00	3800 00	62	16	4714 00	3800 00	62	16	4714 00	3800 00	62	5	
12	Clinton.....	5835	3074	2759	89	89	3456	29	72	3	1	09	68	1	09	4890 00	58	7	2000 00	4890 00	58	7	2000 00	4890 00	58	7	2000 00	4890 00	58	5	
13	Crawford.....	3549	1905	1644	60	59	2076	24	59	1	1	94	1	00	3267 00	65	4	1025 00	3267 00	65	4	1025 00	3267 00	65	4	1025 00	3267 00	65	6		
14	Davies.....	5245	2725	2520	69	70	3024	32	56	9	1	25	1 05	1	25	8245 02	69	11	3007 00	8245 02	69	11	3007 00	8245 02	69	11	3007 00	8245 02	69	64	
15	Dearborn.....	9414	4853	4561	92	98	4558	89 35	83	19	6	51	32	2 3 00	8245 02	65	12	2393 00	8245 02	65	12	2393 00	8245 02	65	12	2393 00	8245 02	65	19		
16	Decatur.....	6794	3507	3287	97	102	3	4769	287 31	85	21	3	21	42	88 2 08	7667 98	70	11	5329 00	7667 98	70	11	5329 00	7667 98	70	11	5329 00	7667 98	70	605	
17	Dekalb.....	5557	3994	2563	114	112	3	4992	271 28	58	37	3	1	86	54 1 77 1 10	5188 70	79	13	3902 00	5188 70	79	13	3902 00	5188 70	79	13	3902 00	5188 70	79	8	
18	Delaware.....	6158	3380	2769	108	108	3374	38	82	20	1	11	76	1	11	5893 59	59	11	4715 00	5893 59	59	11	4715 00	5893 59	59	11	4715 00	5893 59	59	8	
19	Dubois.....	4106	2172	1934	54	54	2735	26	44	5	1	13	03	1	13	3756 67	74	10	2594 40	3756 67	74	10	2594 40	3756 67	74	10	2594 40	3756 67	74	6	
20	Elkhart.....	8034	4220	3814	121	132	6562	52	101	58	1	11	59	1	11	9438 86	76	24	10318 00	9438 86	76	24	10318 00	9438 86	76	24	10318 00	9438 86	76	19	
21	Fayette.....	3639	1838	1801	49	46	1479	31	35	5	1	51	89	1	51	3616 00	59	2	1030 00	3616 00	59	2	1030 00	3616 00	59	2	1030 00	3616 00	59	605	
22	Floyd.....	5369	3220	3149	40	38	3761	52 48	33	21	2	1	78	1 30	7327 50	89	5	1792 00	7327 50	89	5	1792 00	7327 50	89	5	1792 00	7327 50	89	8		
23	Franklin.....	5525	2975	2550	92	94	4120	27	74	21	1	20	1	00	6406 00	60	5	2340 00	6406 00	60	5	2340 00	6406 00	60	5	2340 00	6406 00	60	8		
24	Franklin.....	7524	3856	3608	89	56	4	3397	47	75	19	84	55	84	55	8412 00	65	11	1560 00	8412 00	65	11	1560 00	8412 00	65	11	1560 00	8412 00	65	40	
25	Fulton.....	4034	2132	1902	70	68	1	2378	41	40	64	21	1	01	54	4683 03	65	6	1911 00	4683 03	65	6	1911 00	4683 03	65	6	1911 00	4683 03	65	2	
26	Gibson.....	6079	2604	2475	77	78	21	3444	177 27	80	60	19	1	40	90 4 00 1 50	5675 00	70	2	800 00	5675 00	70	2	800 00	5675 00	70	2	800 00	5675 00	70	2	
27	Grant.....	6262	3304	2938	112	102	2	4425	200 27	94	8	4	21	08	76	6121 16	56	10	3727 00	6121 16	56	10	3727 00	6121 16	56	10	3727 00	6121 16	56	9	
28	Green.....	6300	3256	3044	123	102	3	3612	43 36	74	11	1	95	72	1 92	5654 00	64	10	2284 00	5654 00	64	10	2284 00	5654 00	64	10	2284 00	5654 00	64	22	
29	Hamilton.....	6893	3591	3342	106	108	1	3848	32	68	16	1	1	03	82	5996 00	61	20	7590 00	5996 00	61	20	7590 00	5996 00	61	20	7590 00	5996 00	61	4	
30	Hancock.....	5363	2727	2636	82	78	3785	27	74	6	1	10	77	1	10	5008 08	61	4	1664 00	5008 08	61	4	1664 00	5008 08	61	4	1664 00	5008 08	61	7	

61	Parke.....	6008	3177	2891	108	108	2	3625	40029	180	87	20	31	31	30	89	2	08	1	13	6121	00	85	17	7521	00	3303	9	6030	56		
62	Perry.....	4507	2333	2174	60	47	1	2742	30	.....	45	4	.....	1	16	88	.....	.....	.....	4090	00	83	8	1833	00	2253	.....	1	.....	813	00
63	Pike.....	3912	2053	1859	64	54	.....	1701	.....	23	48	4	.....	1	16	88	.....	.....	.....	2907	00	54	5	993	00	2200	.....	2	.....	2839	81
64	Porter.....	3259	1732	1527	74	84	1	3071	.....	22	52	58	.....	91	86	.....	.....	.....	.....	4646	00	77	13	3909	00	2197	.....	2	.....	347	64
65	Posey.....	6019	3260	2759	76	71	.....	5763	.....	29	64	10	.....	1	20	87	.....	.....	.....	4758	00	73	6	864	00	3981	.....	3	.....	117	.....		
66	Pulaski.....	2231	1909	1022	60	38	.....	1156	.....	28	33	9	.....	97	74	.....	.....	.....	.....	2369	00	63	10	2642	00	1703	.....	6	.....	75	.....		
67	Putnam.....	7388	3805	3583	120	108	.....	3365	.....	28	93	17	.....	1	22	1	02	.....	.....	6722	00	55	12	3439	00	5278	.....	6	.....	50	.....		
68	Randolph.....	7161	3835	3326	122	119	.....	5525	.....	29	100	13	.....	1	15	89	.....	.....	.....	7378	00	61	18	6528	00	3850	.....	26	.....	7379	20
69	Randolph.....	7277	3813	3464	103	102	.....	4708	.....	29	98	15	.....	1	05	84	.....	.....	.....	647	00	69	14	4854	00	4379	.....	28	.....	4070	82
70	Rush.....	5761	3035	2726	98	97	1	2449	.....	31	36	10	.....	1	43	92	.....	.....	.....	6411	00	64	2	1629	00	4488	.....	8	.....	762	.....		
71	Scott.....	2083	1585	1398	41	41	.....	2041	.....	31	37	4	.....	1	00	1	.....	.....	.....	2420	00	59	4	999	00	2434	.....	10	.....	330	.....		
72	Shelby.....	7460	3869	3600	100	99	1	4434	15	87	12	1	13	1	03	1	22	7518	00	66	13	8174	90	5303	31	964		
73	Spencer.....	5522	2004	2618	87	62	.....	3433	.....	25	67	12	.....	1	15	73	.....	.....	.....	5619	00	72	9	3047	00	3207	.....	17	.....	310	.....		
74	Stark.....	808	473	395	7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	82	.....	.....	.....	.....	.....	.....	.....	739	28
75	Stauben.....	3970	2046	1924	83	80	1	3392	.....	32	51	78	1	.....	73	40	30	.....	.....	4276	00	.....	8	2582	09	2908	.....	1	.....	3146	00
76	St. Joseph.....	6837	3637	3220	89	91	.....	2506	.....	26	65	29	.....	1	05	02	.....	.....	.....	3648	00	63	10	3873	00	4184	.....	5	.....	9200	99
77	Sullivan.....	5813	3140	2673	88	72	4	2788	110	58	14	8	3	82	56	3	76	3	07	4498	00	65	7	2525	00	2435	3058	00		
78	Switzerland.....	4931	2585	2946	67	71	1	3316	63	58	8	1	1	02	91	3	19	1	27	5075	00	80	3	1320	00	2854	21	2304	74		
79	Tippecanoe.....	8091	4192	3899	77	84	3	2534	.....	130	53	26	2	1	20	79	.....	.....	.....	5716	00	57	22	11240	00	2514	.....	.....	.....	7011	39
80	Tipton.....	3078	1576	1502	57	55	.....	1941	.....	32	53	2	.....	1	20	87	.....	.....	.....	3225	00	64	5	900	00	1451	.....	.....	.....	1306	00
81	Union.....	2512	1268	1244	39	41	.....	1391	.....	24	29	12	.....	1	36	95	.....	.....	.....	3391	00	76	1	800	00	1056	.....	.....	.....	3266	48
82	Vanderburgh.....	8142	4217	3925	46	60	6	3745	56	45	31	2	1	19	72	2	33	1	17	12853	00	107	4	12458	00	3978	8	5825	71		
83	Vermillion.....	3594	1821	1733	27	43	.....	1455	.....	23	31	13	.....	1	02	63	.....	.....	.....	3395	00	63	5	2295	00	1126	.....	2	.....	5550	00
84	Vigo.....	7369	3809	3569	28	54	.....	2421	.....	18	27	28	.....	1	13	66	.....	.....	.....	3179	00	63	7	2051	00	1381	.....	.....	.....	842	83
85	Wabash.....	7305	3855	3450	116	115	1	4900	41	98	18	3	6	30	71	2	97	1	38	11347	00	88	18	6528	00	3917	5	7846	68		
86	Warren.....	3663	1989	1674	77	67	.....	3114	.....	30	46	17	.....	1	33	92	.....	.....	.....	4529	00	68	7	3337	00	2612	.....	.....	.....	2958	00
87	Warwick.....	5317	2767	2550	76	74	.....	3689	.....	29	67	6	.....	1	23	1	06	.....	.....	3940	00	42	8	2310	00	2760	.....	8	.....	816	00
88	Washington.....	6711	3513	3198	105	77	.....	3351	.....	28	69	8	.....	1	11	1	04	.....	.....	5982	00	66	12	3297	00	4347	.....	11	.....	5549	07
89	Wayne.....	10769	5049	5120	99	141	1	5586	.....	56	80	51	1	1	45	99	2	70	.....	9998	00	67	2	2495	00	6521	.....	30	.....	13203	98
90	Wells.....	4885	2446	2139	93	91	1	3911	.....	38	21	86	7	1	89	59	1	14	.....	5352	00	68	6	1870	00	2401	.....	.....	.....	4659	23
91	White.....	3228	1744	1484	62	61	2	2607	.....	50	80	11	3	2	11	73	.....	.....	.....	3910	00	71	4	1784	00	1387	.....	.....	.....	3586	32
92	Whitley.....	4245	2256	1989	87	83	.....	2507	.....	23	70	12	.....	.....	91	79	.....	.....	.....	2345	00	56	9	2476	00	2342	.....	7	.....	2400	36
Total.....		512408	268394	244074	7309	6938	78	297882	5991	31	102	5614	1611	77	55	1	11	1	05	2	13	31	485297	00	68	750	324276	00	221523	3077	694	11805	381045	57

NO. III.—Tabular Statement of the Amount and Condition of the Congressional Township Fund and the Revenues derived therefrom.

No.	Number.	NAMES OF COUNTIES.	Amount of fund at the close of last year.	Amount added from sale of the year.	No. of acres of unsold school lands.	Value of unsold school lands.	Total Amount of fund at the date of the Auditor's report.	Amount lost since 1842.	Amount now safely invested.	Amount now unsafely invested.
1	1	Adams.....	\$19,551 97				\$19,551 97		\$19,551 97	
2	2	Allen.....	47,252 01	\$300 00	270	\$2,800 00	50,412 01	\$150 00		
3	3	Bartholomew.....	14,280		1,280	1,700 00	36,586 92			
4	4	Benton.....	31,398 00		1,520	6,080 00	37,478 00		31,398 00	
5	5	Blackford.....	7,115 19				7,130 98		6,995 98	
6	6	Boone.....	18,118 34		640	1,920 00	20,068 34		17,883 17	
7	7	Brown.....	8,805 78				8,805 78		8,513 08	50 40
8	8	Carroll.....	32,151 50	1,080 00	320	3,240 00	37,471 50		32,717 42	
9	9	Cass.....	35,805 86				35,805 86	600 00	35,210 95	600 00
10	10	Clark.....	21,228 50		320	400 00	21,628 51	931 00	12,515 14	7,229 77
11	11	Clay.....	13,561 00				13,561 00	Can't tell.	11,957 67	1,603 33
12	12	Clinton.....								
13	13	Crawford.....	10,451 00	200 00	160	200 00	10,857 00		10,857 00	
14	14	Daviess.....	19,243 47				19,243 47		19,221 84	
15	15	Dearborn.....	28,223 62				28,223 62		28,223 62	
16	16	Decatur.....	19,516 30				19,516 30			
17	17	Dekalb.....								
18	18	Delaware.....	22,892 26				22,892 26		22,892 26	
19	19	Dubuois.....	8,905 80				8,905 80		8,905 80	
20	20	Elkhart.....	40,158 13				40,158 13		40,041 60	
21	21	Fayette.....	15,210 73	97 47			15,210 73		15,210 73	
22	22	Floyd.....	14,034 05				14,034 05		13,634 05	
23	23	Fountain.....	22,344 57				22,344 57		21,946 69	
24	24	Franklin.....	44,969 51				44,969 51	300 00	44,667 14	332 37
25	25	Fulton.....	17,565 52				17,565 52	57 00	18,509 53	57 00
26	26	Gibson.....	29,689 95		640	800 00	30,688 54		29,689 95	
27	27	Grant.....	30,688 54				30,688 54		29,998 54	690 00
28	28	Greene.....	17,655 49				17,655 49		16,926 80	
29	29	Hamilton.....	25,481 82				25,481 82		25,481 82	
30	30	Hancock.....	12,070 50				12,070 50		22,070 50	
31	31	Harrison.....	22,335 76				22,335 76		21,665 19	
32	32	Henricks.....	26,628 57		640	5,000 00	26,628 57		26,308 03	
33	33	Henry.....	17,356 10				17,356 10		17,322 80	
34	34	Howard.....	18,430 60				18,430 60		18,430 60	
35	35	Huntington.....	29,045 83		640	3,200 00	32,345 83		29,045 83	

NO. III.—Tabular Statement of the Amount and Condition of the Congressional Township Fund, and the Revenues derived therefrom—Continued.

Number.	NAMES OF COUNTIES.	Amount of fund at the close of last year.	Amount added from sale of lands within the year.	No. of acres of unsold school lands.	Value of unsold school lands.	Total amount of fund at the date of the Auditor's report.	Amount lost since 1842.	Amount now safely invested.	Amount now vested.
85	Walash.	\$18,748 68		10	\$50 00	\$18,758 68	.....	\$18,758 68	.....
86	Warren.	24,368 21		.....	.....	24,368 21	.....	2,353 96	.....
87	Warrick.	16,103 00		.....	.....	16,103 00	.....	16,103 00	.....
88	Washington.	30,137 38	\$542 34	.....	.....	30,679 69	Don't know	29,614 77	.....
89	Wayne.	45,845 82		.....	.....	45,845 82	963 27	40,645 82	\$1,064 92
90	Wells.	24,573 02		.....	.....	24,573 02	.....	24,573 02	200 00
91	White.	26,775 94		360	5,580 00	32,155 94	50 00	26,775 94	.....
92	Whitley.	17,258 60		.....	.....	17,258 60	.....	17,258 60	.....
Total.		\$1,950,976 71	\$24,000 72	24,259	\$109,163 00	\$2,113,942 29	\$7,377 92	\$1,745,746 93	\$18,335 50

Number.	NAMES OF COUNTIES.	Amount uninvested at the Auditor's report.	Amount received within the year.	Amount received within the year.	Amount of interest defined at the Auditor's report.	Amount of interest collected within the year.	Amount of interest apportioned to adjoining counties.	Amount of interest derived from adjoining counties.	Total amount of revenue for this Township reported to Congressional
1	Adams.....	\$1,442 00	\$1,412 00	\$1,368 63	.....	.....	\$105 10	\$41 70	\$1,365 23
2	Allen.....	4,101 50	3,688 50	3,606 18	.....	.....	.....	.....	3,606 18
3	Bartholomew.....	1,273 93	1,347 93	1,224 43	.....	.....	77 85	98 58	1,245 16
4	Benton.....	.....	800 00	1,187 36	\$7,178 21	.....	117 00	.....	1,070 30
5	Backford.....	130 50	110 50	469 75	28 13	.....	.....	64 45	654 20
6	Boone.....	991 90	726 73	1,140 18	Unknown.	.....	.....	200 31	1,400 49
7	Brown.....	265 17	383 17	455 92	.....	.....	81 40	28 95	403 47
8	Carroll.....	333 72	2,801 79	1,791 35	.....	.....	365 36	20 72	1,456 72
9	Cass.....	514 08	3,315 87	2,514 92	.....	.....	.....	72 63	2,586 95
10	Clark.....	552 50	2,379 04	1,736 61	937 12	.....	158 36	15 24	1,592 89
11	Clay.....	.....	1,280 00	1,228 89	.....	.....	137 11	.....	1,401 76
12	Clinton.....	.....	.....	1,192 31	.....	.....	297 24	.....	1,173 07
13	Crawford.....	21 63	1,136 00	842 60	.....	.....	.....	272 95	1,197 83
14	Davies.....	.....	1,139 74	1,098 00	.....	.....	92 66	155 38	1,408 60
15	Dearborn.....	.....	.....	1,366 81	967 44	.....	137 61	104 63	1,332 89
16	Decatur.....	120 80	.....	.....	.....	.....	.....	.....	.....
17	Dekalb.....	.....	.....	1,887 38	.....	.....	309 52	66 16	1,644 62
18	Delaware.....	105 00	335 00	660 15	.....	.....	40 70	.....	569 45
19	Dubois.....	242 50	559 30	2,626 45	.....	.....	.....	193 76	2,820 22
20	Elkhart.....	214 00	454 00	985 91	78 84	.....	98 98	376 46	1,263 39
21	Fayette.....	.....	525 00	894 59	1,050 63	.....	5 71	208 94	1,037 82
22	Floyd.....	400 90	.....	855 48	.....	.....	159 73	.....	846 40
23	Fountain.....	397 88	.....	2,928 03	76 89	.....	.....	568 79	3,496 82
24	Franklin.....	149 25	3,107 06	2,541 50	431 31	.....	102 60	12 00	1,454 50
25	Fulton.....	.....	2,421 83	2,720 12	Can't tell.	.....	235 97	.....	2,484 15
26	Gibson.....	.....	5,125 00	2,519 32	1,136 93	.....	1,962 45	.....	2,848 15
27	Grant.....	145 62	2,410 92	1,455 10	1,155 50	.....	.....	113 85	3,70 72
28	Greene.....	728 69	1,414 13	1,465 00	.....	.....	.....	.....	1,455 10
29	Hamilton.....	.....	255 02	1,465 00	.....	.....	64 11	237 93	1,776 82
30	Hancock.....	30 63	271 63	813 97	344 70	.....	78 15	.....	805 97
31	Harrison.....	609 57	3,565 00	1,774 64	.....	.....	217 38	184 16	1,541 42
32	Hendricks.....	320 54	1,190 27	1,784 72	.....	.....	240 44	62 10	1,006 38
33	Henry.....	33 30	1,295 63	1,131 86	295 10	.....	.....	328 89	1,460 75
34	Howard.....	.....	2,072 54	1,290 07	96 62	.....	78 88	326 56	1,637 75
35	Huntington.....	.....	2,872 60	1,677 74	165 78	.....	202 63	.....	1,475 06

71	Scott.....	324 12	835 00	1,250 00	386 45	600 00	57 80	10 47	561 67
72	Shelby.....	1,105 35	1,634 71	1,694 71	1,695 27	2,220 00	.....	106 20	2,327 11
73	Spencer.....	8 91	1,199 22	927 00	.....	886 49	.....	92 23	975 72
74	Starks.....	.....	539 25	1,584 25	215 21	461 98	.....	.....	461 98
75	Steuben.....	.....	1,071 35	1,071 25	389 19	1,138 03	.....	.....	1,138 03
76	St. Joseph.....	.....	394 74	544 48	.....	1,315 05	287 17	124 62	1,152 50
77	Sullivan.....	.....	.....	.....	.....	1,067 84	.....	.....	1,067 84
78	Switzerland.....	.....	3,841 09	3,313 00	143 29	1,111 94	.....	.....	1,024 45
79	Tipecanoe.....	.....	446 30	446 30	.....	2,607 93	225 55	138 06	2,856 70
80	Tipton.....	.....	1,819 00	1,350 00	.....	1,629 60	.....	248 77	1,820 71
81	Union.....	.....	2,645 00	2,984 34	.....	1,725 88	.....	191 11	1,412 43
82	Vanderburgh.....	.....	1,701 17	1,450 00	700 00	1,154 40	452 66	139 21	1,316 11
83	Vermillion.....	.....	883 36	.....	.....	.....	.....	161 71	.....
84	Vigo.....	.....	640 65	638 82	.....	2,199 85	102 08	.....	2,037 77
85	Wabash.....	.....	1,078 70	973 76	6,576 27	3,725 86	.....	33 75	3,759 61
86	Warren.....	.....	2,254 40	1,778 87	207 70	1,319 63	.....	664 19	1,983 82
87	Warrick.....	.....	914 69	200 00	.....	1,798 08	.....	16 72	1,814 80
88	Washington.....	.....	1,512 38	1,453 21	350 00	1,633 80	90 34	14 28	1,557 74
89	Wayne.....	.....	1,478 31	1,425 41	.....	1,601 60	192 63	47 78	1,456 75
90	Wells.....	.....	2,110 15	2,110 16	103 03	3,835 66	310 58	327 47	3,852 55
91	White.....	.....	622 75	622 75	200 00	1,720 11	41 70	105 10	1,783 51
92	Whitley.....	.....	4,193 45	4,193 45	1,854 60	1,277 35	168 98	102 33	1,210 70
						1,395 00			1,395 00
	Total.....	\$15,315 06	\$127,822 69	\$126,393 22	\$36,315 45	\$135,254 96	\$10,569 40	\$,358 91	\$129,545 02

NO. IV.—Tabular Statement of the Amount and Condition of the Common School Fund and the Revenues derived therefrom, and from other sources of School Revenue.

Number of Counties.	NAMES OF COUNTIES.	Amount of Fund at the close of last year.	Amount added from fines and forfeitures within the year.	Amount added from unclaimed fees within the year.	Amount added by the commissioners of the sinking fund within the year.	Amount added from all sources within the year.	Total additions to the fund within the year.	Total amount of the Fund June 1st, 1880.	Amount of Fund lost since 1842.	Amount now safely invested.
1	Adams.....	\$5,077 89	\$510 25	.....	\$3,012 75	.....	\$3,553 00	\$8,630 81	\$36 00	\$8,594 81
2	Allen.....	25,053 84	258 90	.....	.....	\$1,167 32	1,366 22	21,450 11	4,394 88	21,450 11
3	Bartholomew.....	13,548 82	134 23	.....	979 65	.....	1,113 88	11,972 70	.....	2,153 42
4	Benton.....	293 00	1 00	.....	1,871 78	9 00	1,881 78	2,174 78	.....	3,416 06
5	Blackford.....	584 01	28 27	.....	3,377 79	.....	3,416 06	4,900 07	.....	12,319 67
6	Boone.....	8,707 67	78 71	.....	4,501 81	.....	4,383 52	13,091 19	.....	5,169 65
7	Brown.....	3,873 30	.....	.....	.....	1,408 39	1,508 35	5,341 53	.....	11,731 25
8	Carroll.....	6,411 29	35 97	.....	5,3 2 09	16 25	5,411 31	11,825 59	551 75	13,922 89
9	Cass.....	9,337 77	89 15	.....	4,455 97	.....	4,883 12	15,656 31	2,709 51	10,737 81
10	Clark.....	15,314 66	241 65	.....	1,759 62	.....	4,923 29	11,363 29	.....	5,933 00
11	Clay.....	6,437 00	127 27	.....	1,358 75	.....	1,180 00	7,511 00	.....	13,286 28
12	Clinton.....	6,051 00	81 30	.....	8,000 43	179 42	9,079 85	16,240 45	451 61	19,205 45
13	Crawford.....	7,169 61	.....	.....	3,951 30	.....	5,130 20	19,758 65	.....	15,652 53
14	Darless.....	15,621 46	157 90	.....	1,900 26	.....	2,296 61	.....	.....	.....
15	Dearborn.....	13,413 92	218 35	.....	.....	.....	.....	.....	.....	.....
16	Decatur.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
17	DeKalb.....	9,774 33	131 60	.....	2,853 74	.....	.....	12,750 67	.....	12,259 67
18	Delaware.....	7,765 70	.....	.....	5,805 64	537 54	.....	7,765 70	.....	16,988 76
19	Dubois.....	11,946 82	53 29	.....	.....	.....	6,508 28	18,455 20	.....	10,243 84
20	Elkhart.....	10,447 90	.....	.....	1,212 50	.....	1,378 93	10,847 90	.....	15,200 81
21	Fayette.....	13,269 81	165 63	.....	.....	.....	1,25 00	16,579 74	.....	11,869 64
22	Floyd.....	13,211 48	125 00	.....	.....	42 10	139 45	18,220 16	409 00	17,509 08
23	Franklin.....	18,080 17	130 99	\$8 55	5,682 39	199 35	5,618 30	10,149 40	346 29	9,783 67
24	Fulton.....	4,531 01	6 00	.....	.....	.....	420 33	17,581 09	152 41	17,228 42
25	Gibson.....	16,851 76	355 81	30 92	.....	.....	8,397 74	13,630 94	.....	12,920 94
26	Grant.....	5,243 20	62 75	2 00	8,123 64	.....	4,095 27	12,223 48	.....	11,885 07
27	Greene.....	9,093 36	328 84	.....	3,706 43	.....	4,553 64	14,573 98	.....	6,177 53
28	Hamilton.....	9,622 31	68 48	12 50	4,872 66	.....	3,928 08	11,533 04	5,379 58	1,4831 40
29	Hancock.....	10,094 58	61 50	.....	3,803 98	.....	1,653 74	10,429 93	2 00	10,863 22
30	Harrison.....	14,776 19	75 43	1 00	1,577 31	.....	747 70	14,133 73	.....	18,988 92
31	Hendricks.....	13,386 03	203 80	.....	540 99	.....	276 31	19,116 77	.....	8,320 34
32	Henry.....	18,810 46	228 86	47 45	.....	.....	6,115 20	9,723 15	.....	11,820 57
33	Howard.....	3,310 23	107 85	11 30	6,933 55	.....	7,511 94	12,640 87	.....	.....
34	Huntington.....	5,318 93	25 40	.....	7,516 54	.....	.....	.....	.....	.....

36	Jackson.....	1,851 40	6 61	1,065 84	33 37	4,105 82	5,957 21	5,501 49
37	Jasper.....	2,713 59	149 63	7,437 99		7,597 62	10,311 21	10,077 67
38	Jay.....	22,636 36	722 88			7,222 88	23,609 24	23,049 24
39	Jefferson.....	9,741 79	152 88	1 00		3,608 27	13,953 64	13,118 22
40	Jennings.....	12,497 85	87 12	56 22	30 00	1,181 83	13,479 18	130 00
41	Johnson.....	15,989 69	191 45			191 45	16,181 11	200 00
42	Knox.....	6,419 09	161 50			8,276 11	16,091 68	170 54
43	Koshisko.....	7,563 44	35 75			3,002 86	10,562 65	110 00
44	Lagrange.....	2,317 06				5,048 09	7,365 15	312 00
45	Lake.....	15,407 26	90 84	53 00		1,448 84	16,846 10	
46	Laporte.....	16,785 45	80 20			133 20	16,918 65	198 10
47	Lawrence.....	8,240 39	92 65			6,821 37	13,061 67	
48	Madison.....	21,892 48	505 65			11,738 50	33,631 07	
49	Marion.....	3,879 48	241 40		4,850 00	8,207 85	12,087 33	12,087 33
50	Marshall.....	7,423 12				8,219 07	14,637 39	7,423 12
51	Martin.....	6,208 22	123 13	10 00		3,725 50	14,917 74	14,267 49
52	Miami.....	8,726 24	572 21			177 40	21,927 48	11,686 82
53	Monroe.....	21,150 08	177 40			330 55	15,361 35	21,283 03
54	Montgomery.....	15,630 80	242 65	87 90		7,582 99	11,881 65	15,161 80
55	Morgan.....					3,790 32	8,110 17	11,591 06
56	Newton.....	4,298 06	35 55			525 27	12,164 27	7,749 34
57	Noble.....	4,319 85	54 93					
58	Ohio.....	11,638 55	107 00	10 22	50 60			
59	Orange.....							
60	Owen.....							
61	Park.....	12,187 31				986 55	13,360 18	13,360 18
62	Perry.....	7,280 00	44 21			4,038 63	11,318 63	11,105 63
63	Pike.....	11,737 92	272 80	3 00		275 80	12,013 72	10,461 56
64	Porter.....	4,441 67				2,873 86	7,816 24	7,315 52
65	Posey.....	11,229 09	10 05			3,476 68	14,705 77	14,705 77
66	Pulaski.....	1,091 08				3,162 29	4,853 37	4,367 73
67	Putnam.....	23,132 45	294 80			294 80	23,427 25	22,232 45
68	Randolph.....	10,751 29	83 00			81 00	10,834 61	7,396 88
69	Ripley.....	9,189 56	104 75			8,105 05	17,290 61	17,162 47
70	Rush.....	20,330 00	64 60			64 60	20,394 60	20,041 10
71	Scott.....	6,208 71	107 71			1,180 15	6,888 86	5,964 74
72	Shelby.....	12,363 52	167 40			5,251 37	17,617 89	16,951 35
73	Shelby.....	8,864 64	182 58			1,737 31	10,601 95	10,301 95
74	Spencer.....	463 64			125 00	1,480 70	1,944 30	1,886 15
75	St. Joseph.....	10,261 83	77 81			77 84	10,359 67	10,295 67
76	Steuben.....	4,715 58	70 60			3,922 11	8,567 69	8,442 24
77	Sullivan.....	10,261 84	73 25			6,856 45	17,118 27	16,963 13
78	Switzerland.....	11,729 73	566 09			566 09	12,283 82	11,781 82
79	Tippecanoe.....	21,857 68	118 68			118 68	21,976 48	21,775 27
80	Tipton.....	2,516 23	54 40			3,898 65	6,414 88	6,336 47
81	Union.....	11,636 56	130 00				11,796 26	11,780 26
82	Vanderburgh.....	23,572 45	372 47			372 47	23,944 92	23,199 82
83	Vermilion.....	16,770 06	37 00			37 00	16,807 06	16,807 06
84	Vigo.....	10,274 42	92 74		749 00	\$52 74	11,127 16	10,590 59

NO. IV.—*Tabular Statement of the Amount and Condition of the Common School Fund, and the Revenues derived therefrom, and from other sources of School Revenue—Continued.*

Number.	NAMES OF COUNTIES.	Amount of Fund at the close of last year.	Amount added from fines and forfeitures within the year.	Amount added from unclaimed fees within the year.	Amount added by the Commissioners of the Sinking Fund within the year.	Amount added from all other sources within the year.	Total Amount of the Fund June 1st, 1860.	Amount of Fund lost since 1842.	Amount now safely invested.
85	Wabash.....	\$6,726 58	\$79 60	.....	\$8,484 58	.....	\$15,290 76	.....	\$15,290 76
86	Warren.....	.....	183 31	.....	387 61	.....	8,172 35	\$25 00	8,032 48
87	Warrick.....	13,436 33	.....	\$0 75	.....	.....	14,608 00	358 00	13,650 00
88	Washington.....	18,049 53	138 10	.....	539 72	.....	18,727 35	.....	18,718 35
89	Wayne.....	29,697 45	806 62	166 95	.....	.....	30,671 02	963 27	29,907 73
90	Wells.....	4,127 38	24 35	.....	6,187 16	\$184 37	10,823 26	.....	10,178 78
91	White.....	4,510 17	1 66	.....	1,522 62	.....	6,031 45	.....	6,034 45
92	Whitley.....	9,185 62	.....	115 17	743 91	.....	10,043 83	.....	10,043 83
	Total.....	\$99,632 95	\$13,200 91	\$618 53	\$23,771 80	\$10,042 57	\$1,179,483 41	\$24,608 15	\$1,044,478 83

* New County, formed within the past year, from which there is no report.

NO. IV.—Tabular Statement of the amount and Condition of the Common School Fund, and the Revenues derived therefrom, and from other sources of School Revenue—Continued.

No. of Counties.	NAMES OF COUNTIES.	Amount now unapplied in- vested.	Amount un- vested at the Au- ditor's report.	Amount refund- ed within the year.	Am't re- lained within the year.	Am't of inter- est delinquent at the date of the Auditor's report.	Amount of in- terest collected within the year.	Amount of de- linquent school Treasury, October, 1859.	Amount Paid for liquor li- censes.	Am't of school tax collected on current years tax list up to the return of delinquent list.	Total Common School revenue for apporportion- ment.
1	Adams.....		\$306 99	\$1,843 87	\$5,131 93	\$200 00	\$2,530 05	\$228 71	\$150 00	\$1,795 05	\$2,938 75
2	Allen.....			4,827 93	4,860 96		4,081 72	676 31	2,300 00	1,000 00	14,098 03
3	Bartholomew.....	\$350 00		1,938 02	2,696 85		1,127 50	941 54	700 00	7,449 57	10,218 16
4	Benton.....		21 46		1,850 42		129 52	226 20		1,473 94	1,773 94
5	Boone.....		102 04		53 28		220 33	33 68	100 00	1,473 52	1,427 53
6	Backford.....		771 52	6,472 05	5,300 53		895 03	443 44	100 00	5,113 48	6,551 95
7	Boone.....		339 60	557 57	1,989 57		333 57	205 00			2,110 79
8	Brown.....	100 40	1,091 35	6,454 90	5,363 55		1,117 10				1,117 10
9	Carroll.....			5,995 97	5,995 97		1,487 62	945 12	850 00	4,880 90	8,163 64
10	Cass.....	3,939 11	105 39	705 39	600 00	505 63	1,053 20	545 27	1,072 50	6,446 90	9,117 87
11	Clark.....	522 40	103 08				894 25	703 80	150 00	3,000 00	4,748 05
12	Clinton.....			805 00	2,110 00		541 00	206 38		3,963 88	4,230 26
13	Crawford.....	66 00						95 77	150 00	1,725 00	2,512 37
14	Davies.....	736 79	217 39	154 25	9,016 71		849 73	101 94	250 00	3,538 38	4,740 05
15	Dearborn.....		754 20	715 00	585 00		708 92	472 63	2,300 00	6,934 97	10,416 52
16	Decatur.....	550 00	751 12	218 64	1,676 13	808 09	800 83	402 44	400 00	6,415 34	8,018 61
17	Dekalb.....							266 96	200 00	2,510 94	2,977 90
18	Delaware.....	500 00	105 00	440 00	2,215 51		877 86	168 54	150 00	5,230 71	6,427 11
19	Dubuois.....		199 45	4,234 62	4,035 17		1,410 34	163 66	330 46	2,216 64	3,350 46
20	Elkhart.....		1,466 44	335 00	175 00		1,410 34	651 53	450 00	6,239 22	8,751 00
21	Fayette.....		604 06	660 00	75 00		630 51	137 80	250 00	6,152 96	7,171 27
22	Floyd.....	82 00	1,296 93	400 00	901 90	885 23	807 93	709 21	2,450 00	6,171 75	10,198 89
23	Fountain.....	1,200 00	256 85	725 31	875 00		324 73	590 05	800 00	4,800 00	6,514 78
24	Franklin.....	571 63	224 48	927 65	703 17		1,059 64	361 12	1,150 00	7,062 47	9,063 23
25	Fulton.....	362 73		596 36	6,231 75	230 27	983 84	115 21		2,391 24	3,490 29
26	Gibson.....	42 67		2,300 00	3,160 00		1,714 69	207 83	450 00	3,173 85	8,546 37
27	Grant.....	1,350 00	26 73	8,965 77	9,462 18	585 69	1,191 88	278 66		3,365 00	4,855 54
28	Green.....							436 00		4,002 74	4,439 34
29	Hamilton.....		190 91	655 02	464 11		890 81	452 57		4,524 32	5,876 70
30	Hancock.....	2,976 05	111 50	305 00	168 87	314 35	690 10	571 50	200 00	3,842 82	5,304 42
31	Harrison.....		1,596 47	3,814 96	4,841 00		1,103 31	456 82	300 00	4,662 38	6,522 01
32	Hendricks.....	3,270 50		942 98	1,065 43		868 52	361 48	50 00	7,026 16	8,826 16
33	Henry.....		127 85	1,380 38	1,621 26	761 43	1,091 97	443 86		8,089 79	9,925 59
34	Howard.....		803 18		5,001 08	300 00	622 52	617 16	150 00	2,623 37	4,013 05
35	Huntington.....		840 00	1,255 13	1,255 13		717 14	269 56	350 00	2,822 26	4,158 96

No. IV.—Tabular Statement of the Amount and Condition of the Common School Fund, and the Revenues derived therefrom, and from other Sources of School Revenue—Continued.

No. of Counties.	NAMES OF COUNTIES.									
	Amount now invested.	Amount un-in- vested at the Au- ditor's report.	Amount refund- ed within the year.	Amount retained within the year.	Am't of inter- est delinquent at the date of report.	Amount of in- terest collected within the year.	Amount of de- linquent school tax paid into State Treasury October 1859.	Amount paid for liquor li- censes.	Am't of School tax collected on current year's tax list up to the return of delinquent list.	Total Common School Revenue for reportment.
36	Jackson.....	\$53 82	\$470 00	\$470 00	\$66 50	\$382 86	\$563 39	\$600 00	\$5,082 14	\$6,251 44
37	Jasper.....	241 54	495 00	7,852 87	10 41	691 28	121 63	2,193 75	2,416 48	382 86
38	Jay.....		3,021 44	3,428 77	308 09	1,921 93	2,400 92	500 00	6,454 90	3,255 39
39	Jefferson.....	445 42	4,653 14	4,187 72		170 12	1,211 82	700 00	3,120 66	12,274 50
40	Jennings.....		2,129 56	2,092 29		1,388 31	127 37	1,050 00	7,229 91	9,445 59
41	Johnson.....	\$290 00	925 53	2,172 50		911 74	292 40	200 00	4,300 00	6,064 14
42	Knox.....	512 00	739 52	985 30	271 09	970 15	894 28	200 00	4,000 00	6,064 14
43	Kosciusko.....						287 19		2,564 96	3,252 15
44	Lagrange.....									
45	Lake.....	430 00				105 92		1,852 50	7,000 00	11,078 12
46	Laporte.....	1,360 12	100 00	217 00	49 48	1,151 46	1,074 17	200 00	6,004 78	8,007 38
47	Lawrence.....	3 25	3,108 05	3,101 80		1,123 10	679 50	170 06	4,858 29	6,355 94
48	Madison.....		518 54	548 31	103 05	937 49	410 25	5,100 00	12,000 00	21,826 63
49	Marion.....	485 44	2,716 55	11,735 88	315 43	4,839 73	2,587 00	427 50	1,800 00	2,401 85
50	Marshall.....						177 35	250 00	1,681 44	2,385 92
51	Martin.....		400 00	536 17		313 33	141 15	100 00	4,463 86	6,215 48
52	Miami.....	229 90	2,179 00	2,504 68	122 31	881 67	119 32	350 00	4,591 66	5,328 08
53	Monroe.....	764 92	4,213 74	4,213 74	315 00	487 10	567 82	200 00	9,543 33	11,782 43
54	Montgomery.....	44 46	719 65	945 65		1,321 31	401 42	330 00	4,653 64	6,044 56
55	Morgan.....		1,455 74	1,585 74	350 00	775 50				
56	* Newton.....									
57	Noble.....	364 53	8,200 00	8,200 00		636 49	245 07	195 00	3,321 41	4,117 57
58	Ohio.....	360 83	215 34	915 31	329 40	408 51	1 86	50 00	1,621 16	1,673 02
59	Orange.....		990 10	2,300 00		725 05	199 47		4,375 55	5,300 07
60	Owen.....									
61	Parke.....		2,560 02	2,553 02		1,221 70	1,005 02	50 00	6,719 22	8,999 84
62	Perry.....	213 00	5,479 00	4,887 00	112 00	799 00	527 35	1,900 00	2,253 94	4,880 20
63	Pike.....	1,723 37	414 77	880 00	1,205 72	620 06	224 23	150 00	2,300 00	3,154 29
64	Porter.....					467 32	554 18	900 00	2,500 00	3,821 50
65	Posey.....		450 00	802 00		1,452 72	363 17	1,500 00	6,077 79	9,333 68
66	Pulaski.....	485 39	70 00	2,745 00		202 67	61 46	100 00	6,024 79	6,988 32
67	Putnam.....	240 19	2,758 00	1,758 00	686 50	1,859 65	906 98		8,000 00	10,766 63
68	Randolph.....		1,710 25	1,605 50		1,178 08				
69	Ripley.....		738 10	735 80	75 00	1,240 95	188 72	850 00	3,964 51	5,244 18
70	Rush.....	127 84	2,635 12	1,383 36	315 23	1,565 19	304 11	100 00	8,476 86	10,466 10

71	Scott.....	100 00	324 12	333 97	975 00	275 00	313 55	183 08	159 00	6,477 73	657 23
72	Shelby.....	150 00	516 54	889 19	889 15	.....	1,869 24	773 08	519 75	3,089 07	9,639 80
73	Spencer.....	.....	.....	2,337 58	2,336 00	.....	462 43	948 49	350 00	.....	5,149 95
74	Starke.....	.....	58 13	50 00	1,375 00	18 80	113 23	30 27	.....	472 53	616 03
75	St. Joseph.....	134 00	981 02	607 41	436 73	1,200 00	419 25	971 39	877 50	5,302 76	7,570 90
76	Steuben.....	.....	125 45	1,362 05	1,362 05	209 69	686 58	16 78	200 00	1,894 75	2,607 92
77	Sullivan.....	.....	155 14	.....	.....	.....	.....	101 39	200 00	3,875 45	4,173 84
78	Switzerland.....	.....	.....	4,008 05	4,485 00	67 60	1,486 87	407 00	200 00	2,530 24	4,624 11
79	Tippecanoe.....	.....	.....	75 00	75 00	.....	1,523 44	.....	50 00	.....	1,523 45
80	Tipton.....	.....	78 41	.....	3,820 00	.....	420 52	246 84	.....	2,034 87	2,812 23
81	Union.....	.....	13 00	1,335 59	1,626 42	87 32	728 70	70 98	4,700 00	3,877 97	4,677 65
82	Vanderburgh.....	66 67	678 53	2,023 00	1,718 22	.....	2,277 33	320 00	.....	6,124 36	13,124 36
83	Vermillion.....	.....	.....	550 00	550 00	.....	979 82	384 51	.....	2,762 59	4,119 45
84	Vigo.....	.....	.....	885 85	1,010 00	1,353 76	3,668 56	651 99	1,900 00	7,496 27	13,716 82
85	Wabash.....	.....	.....	1,032 09	7,967 31	344 47	980 87	439 17	500 00	4,526 97	6,477 01
86	Warren.....	.....	129 87	.....	100 00	.....	457 02	723 64	200 00	3,467 09	4,847 75
87	Warrick.....	.....	30 69	1,155 00	1,119 31	280 00	780 93	.....	850 00	4,802 86	6,463 81
88	Washington.....	.....	9 00	1,205 50	1,402 25	.....	1,172 79	206 17	100 00	6,773 96	8,252 92
89	Wayne.....	763 27	.....	802 50	892 50	33 60	2,119 19	1,109 34	855 00	13,008 93	17,002 46
90	Wells.....	377 64	266 74	.....	.....	200 00	583 49	187 43	200 00	2,231 13	3,292 05
91	White.....	.....	.....	216 73	210 73	516 23	195 04	292 07	50 00	2,450 00	2,937 11
92	Whitley.....	.....	.....	840 00	840 00	.....	732 41	214 22	50 00	2,110 76	3,117 50
Total.....		\$21,979 78	\$20,272 03	\$127,945 44	\$98,886 24	\$14,410 57	\$85,938 58	\$38,309 25	\$46,903 50	\$387,920 27	\$5,469 01

* New County, formed within the past year, from which there is no report.

NO. V.—Circular letter and tabular statement of the apportionment of the School Revenue to the Counties, April 23, 1860.

STATE OF INDIANA, DEPARTMENT OF PUBLIC INSTRUCTION, }
Indianapolis, April 23d, 1860. }

To the County Auditors:

GENTLEMEN:—Annexed hereto you will find a tabular statement, showing the number of children between the ages of five and twenty-one years, enumerated in each county of the State, as reported in November, 1859, and the amount of common school revenue collected in each county for apportionment, so far as the same has been reported to this department, and the distributive share thereof apportioned to each, according to the said enumeration. This revenue is derived from school tax on property and polls, from interest on the common school fund, and from fees for licenses to sell intoxicating liquors. The accurate amount of these items, which has been collected in each county, I have not been able to obtain in time for this apportionment.

The school law requires that the school revenue above mentioned, shall be apportioned to the several counties of the State, by the Superintendent of Public Instruction, as soon as the fourth Monday in April, according to the enumeration of children in each county. This proceeding cannot be delayed for reports, neither can it be intelligibly or accurately completed in the absence of an official statement from each county, indicating the amount of said revenues which has been collected in each, and subject to said apportionment. The 99th section of the school law was intended to have the effect to furnish the Superintendent with such a statement, in due time for the apportionment to be made by the time required by law. But the provisions of that section have always proved impracticable for that purpose, from the fact that but few of the County Treasurers have, at that date, made their settlements with the Auditor of State, and that very few of them have furnished the Superintendent with the statement required by that section. At the time, from year to year, when these apportionments are required to be made, the amount of money ready in each county for apportionment has had to be estimated at random, and merely guessed at, for want of the official statements re-

quired by law, and the nature of the proceeding. The effect of this has been to leave large balances of school revenue in the State Treasury, unused for its legitimate object, amounting, at present, to more than \$255,000.

The legal and proper way of disposing of these balances, is to include them in the next apportionment, so that they may be distributed to the schools the following year. This has not been done, and can not now be done, as I have been informed by the Auditor of State, because the money is not in the State Treasury; it having been absorbed and taken up by ordinary payments at the Treasury.

In a consultation I had with the Auditor of State, near a year ago, in relation to this subject, we were both induced to believe that \$100,000 of these balances of school revenue due from the State to the schools could be refunded, so as to be included in this apportionment, and be distributed to the schools for the present year. But I have lately been informed by him, that the condition of the State Treasury is such, that no part of the State's indebtedness to the schools can be paid back so as to be included in this apportionment. The reasons which he assigns for the disappointment are, that the new valuation of the taxable property of the State has fallen largely below the estimate upon which the early calculations were based, and that the list of delinquent taxes returned, is unusually large. These and other causes have operated to reduce the available State revenue far below its estimated amount. Thus the hopes indulged of the payment of this debt, by the State to the schools, have been, for the present, disappointed. The same causes have operated to reduce the available school revenue much below the amount at which it was estimated.

With a view to prevent, if possible, the accumulation of a large additional balance of school revenue in the State Treasury, I have made an effort to obtain from the County Auditors the precise amount collected in their respective counties, so that I might take up, by this apportionment, the entire sum which had been collected throughout the State, and which is now ready for apportionment and distribution to the schools. To accomplish this, I sent to the County Auditors, in due time, blank reports, with the request that they be filled up and returned to me by the third Monday in the present month. Of these reports fifty-five or sixty have been received in time for this proceeding, as shown by the annexed tabular statement. For the ascertainment of the amount collected in the other counties, I have been compelled to resort to the former process of guessing or making a random estimate, which is by no means reliable or satisfactory.

After consulting the Auditor of State and other sources of information on this subject, I have made an estimate by which it appears that the amount of school revenue which will be available for this distribution, will be about \$545,000.

The official school reports received at this department in November last, show the whole number of children in the State between the ages of five and twenty-one years, enumerated to be 495,019. This

is an increase over the number reported last year, of 15,702. From the data thus obtained, the distributive share per child thus enumerated is limited to \$1 10. The apportionment of this sum per child, gives in the aggregate \$544,520 90. To this sum is added \$460 00 to correct errors from Dearborn and Hamilton counties last year, making in all, the sum of \$544,980 90 now apportioned to the several counties of the State, being an increase over the apportionment of last year, of forty cents per child, and an aggregate increase of \$209,244 80.

Section 101 of the school law, and the "notes and suggestions" contained in the appendix to the pamphlet edition of said law, will give you ample directions as to the manner of distributing this money to the several townships and incorporated cities and towns in your respective counties.

I respectfully call your attention, and that of the County Treasurers, to the law relative to paying out the school revenue belonging to incorporated cities and towns. I have been informed that in some of the counties, probably under a mistaken apprehension of the law, the school revenue for tuition, and the special school revenue for building, &c., belonging to incorporated cities and towns, have both been paid to the treasurers of the cities or towns to which said revenues belong, and not to the township treasurer, according to law. See sections 16 and 101 of the school law. There is no provision of law authorizing the payment of either of these revenues to town or city treasurers. Such treasurers are not required by law to receive, safely keep, or pay over to the person entitled to receive the same, either, or any part of these revenues. The law on the subject does not require, and evidently does not intend, that the bonds given by those officers shall secure these revenues. But I think it does very evidently intend that the bonds required of township trustees, (who are, by virtue of that office, township treasurers,) shall secure said revenues.

Sections 16 and 101, above referred to, require the payment to be made to the township treasurers. They are thereby made the treasurers for towns and cities for school purposes. The township trustees are specially made treasurers for school purposes, by the 1st section of 117th chapter, acts 1859, page 178. And the 5th clause of the 6th section of chapter 133, of acts 1859, requires the trustees to perform all the duties heretofore required of township treasurers under the school acts. The law requiring these revenues to be paid by the county treasurers to the township treasurers, implies the duty on the part of township treasurers to receive them, and exercise with regard to them, the office of treasurer for the corporation to which such revenues belong. The 5th section of the act last referred to, provides that the trustee shall give ample bond and security to the acceptance of the County Auditor.

The irregular manner in which this business has, in some instances, been done, the large amount of school money involved, ordinary regard for its safety and the possible effect of an illegal or void pay-

ment, I have thought to be of sufficient importance to justify the foregoing suggestions.

The following is a tabular statement showing the number of children between the ages of five and twenty-one years, enumerated in each county of the State, as reported in November, 1859, and the amount of common school revenues collected in each county for apportionment, so far as the same has been reported to this department, and the distributive share thereof, apportioned to each county, according to said enumeration:

Number,	COUNTIES.	No. of children between 5 and 21 years in each county.	School revenues for apportionment collected in each county.	Distributive share apportioned to each county.
1	Adams.....	3,714	\$2,587 30	\$4,085 40
2	Allen.....	11,578	11,439 20	12,735 80
3	Bartholomew.....	7,092	10,218 61	7,801 20
4	Benton.....	952	2,107 09	1,047 20
5	Blackford.....	1,678	1,127 35	1,845 80
6	Bone.....	6,054	6,112 20	6,659 40
7	Brown.....	2,616	.....	2,877 60
8	Carroll.....	4,830	.....	5,322 00
9	Cass.....	6,085	7,313 64	6,693 50
10	Clark.....	6,912	.....	7,603 20
11	Clay.....	4,756	5,718 52	5,011 60
12	Clinton.....	5,438	4,979 91	5,981 80
13	Crawford.....	3,131	2,512 12	3,774 10
14	Daviess.....	4,870	4,882 63	5,357 00
15	Dearborn.....	8,902	.....	*10,042 20
16	Decatur.....	6,769	.....	7,445 90
17	DeKalb.....	5,585	3,300 74	6,143 50
18	Delaware.....	5,907	6,524 65	6,596 70
19	Dubois.....	4,130	3,200 16	4,549 60
20	Elkhart.....	7,258	8,511 44	7,983 60
21	Fayette.....	3,028	7,901 95	3,990 80
22	Floyd.....	6,394	9,892 89	7,033 40
23	Fountain.....	5,872	.....	5,909 20
24	Franklin.....	7,305	9,563 23	8,035 50
25	Fulton.....	3,919	.....	4,310 00
26	Gibson.....	5,030	8,397 31	5,533 00
27	Grant.....	6,106	4,792 75	6,716 60
28	Greene.....	6,197	.....	6,816 70
29	Hamilton.....	6,617	5,876 70	7,488 70
30	Hancock.....	5,137	.....	5,650 70
31	Harrison.....	7,087	6,380 54	7,795 70
32	Hendricks.....	6,010	8,127 77	6,901 00
33	Henry.....	7,622	.....	8,384 20
34	Howard.....	4,434	.....	4,877 10
35	Huntington.....	5,444	.....	5,988 40
36	Jackson.....	5,742	6,143 74	6,316 20
37	Jasper.....	2,489	.....	2,737 90
38	Jay.....	4,574	.....	5,031 40
39	Jefferson.....	9,850	.....	10,835 00
40	Jennings.....	5,708	5,331 56	6,278 80
41	Johnson.....	5,190	.....	5,709 00
42	Knox.....	5,510	6,412 42	6,094 00
43	Kosciusko.....	6,861	6,912 97	7,547 10
44	Lagrange.....	4,228	.....	4,650 80
45	Lake.....	3,143	.....	3,457 30
46	Laporte.....	7,553	10,893 73	8,418 30
47	Lawrence.....	4,875	7,931 93	5,362 50
48	Madison.....	6,383	6,355 94	7,131 30
49	Marion.....	12,190	21,787 00	13,418 90
50	Marshall.....	4,706	.....	5,176 60
51	Martin.....	3,319	.....	3,727 90
52	Miami.....	6,555	6,393 39	7,210 50
53	Monroe.....	5,022	.....	5,524 20
54	Montgomery.....	7,248	11,817 52	7,972 80
55	Morgan.....	5,816	.....	6,397 60
56	Noble.....	5,464	.....	6,010 40
57	Ohio.....	2,052	2,061 14	2,258 30

NO. IV.—Continued.

Number.	COUNTIES.	No. of children between 5 and 21 years in each county.	School revenues for apportion- ment collected in each county.	Distributive share apportioned to each county.
58	Orange.....	4,628		\$5,090 80
59	Owen.....	5,694		6,263 40
60	Parke.....	5,902		6,492 20
61	Perry.....	4,506	\$4,880 39	4,956 60
62	Pike.....	3,592	3,063 02	3,951 20
63	Porter.....	3,379	3,793 38	3,716 90
64	Posey.....	5,781	9,293 68	6,359 10
65	Pulaski.....	2,057		2,262 70
66	Putnam.....	7,314	10,710 85	8,045 40
67	Randolph.....	6,765		7,441 50
68	Ripley.....	7,008		7,708 80
69	Rush.....	5,765	10,346 16	6,341 50
70	Scott.....	2,768		3,044 80
71	Shelby.....	7,303		8,033 30
72	Spence.....	5,197	5,149 99	5,716 70
73	Starke.....	797	603 63	876 70
74	St. Joseph.....	6,462		7,108 20
75	Steuben.....	3,752	2,344 16	4,127 20
76	Sullivan.....	5,753	4,926 78	6,328 30
77	Switzerland.....	4,810	2,954 05	5,291 00
78	Tippecanoe.....	8,081		8,889 10
79	Tipton.....	2,977	2,767 15	3,174 70
80	Union.....	2,490		2,739 00
81	Vanderburgh.....	7,922	13,757 94	8,714 20
82	Vermillion.....	3,617	3,950 82	3,978 70
83	Vigo.....	6,834		7,417 40
84	Wabash.....	7,224	6,477 61	7,946 40
85	Warren.....	3,745		4,119 50
86	Warrick.....	4,922	6,152 72	5,414 20
87	Washington.....	6,644	7,847 21	7,308 40
88	Wayne.....	10,513	16,865 90	11,564 30
89	Wells.....	4,323	3,217 00	4,755 30
90	White.....	2,814	2,987 11	3,095 40
91	Whitley.....	4,128	3,117 39	4,540 80
Total.....		495,019		\$544,989 90

* There is \$250.00 added to Dearborn county to correct error of Auditor last year.

† There is \$210.00 added to Hamilton county to correct error of Auditor last year.

With much respect, gentlemen, your obedient servant,
 SAMUEL E. RUGG,
Superintendent of Public Instruction.

COUNTIES.	Names of Examiners.	Post Office Address.	Licensed for 2 years.			Licensed for 18 months.			Licensed for 1 year.			Licensed for less than 6 months.			Total.		Number of applicants who were not licensed.
			Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.			
Adams.....	John P. Porter.....	Decatur															
Adams.....	George W. Calderwood..	Willshire, Van Wert Co., O.	10	5	15												
Bartholomew.....	N. S. Dickey.....	Oxford															
Benton.....	Anson Hurd.....	Benton.....															
Benton.....	John Crosson.....	Oxford															
Blackford.....	M. Stahl.....	Hartford.....	4		4												
Boone.....	Nathaniel S. Caldwell....	Jamestown.....															
Boone.....	W. F. W. C. Emsminger	Lebanon.....															
Boone.....	Haden Lane.....	Zionsville.....															
Brown.....	Wm. H. Browning.....	Brown.....															
Brown.....	Edward McIlhany.....	Brown.....															
Brown.....	Thomas H. Snyder.....	Brown.....															
Cass.....	John F. Dodd.....	Cass.....															
Clark.....	N. Field.....	Clark.....															
Clark.....	Thomas Bellows.....	Clark.....															
Clark.....	John Harris.....	Brazil.....															
Clay.....	A. S. Simonson.....	Farm.....															
Clay.....	Jesse Purcell.....	Bowling Green.....															
Clay.....	O. H. P. Ash.....																
Crawford.....	Wm. Higfill.....		19	2	21												
Crawford.....	Milton Taylor.....		1		1												
Daviess.....	Wm. S. Gaffrey.....	Washington.....	7		7												
Daviess.....	John B. Spalding.....	Stanford.....															
Daviess.....	Wm. C. Lemon.....	Oval Prairie.....															
Decatur.....	David Batterton.....	Greensburgh.....															
Decatur.....	Wm. J. Powner.....	Clifty.....															
Decatur.....	W. T. Strickland.....	Westport.....															
Delaware.....	Charles W. Moore.....	Muncie.....	24	3	27												
Delaware.....	John Drago.....	Granville.....	3		3												
Delaware.....	G. W. Slack.....	Yorktown.....															
Dubois.....	John B. Bickwermet.....	Ferdinand.....															
Elkhart.....	Charles Cond.....	Elkhart.....															
Elkhart.....	J. O. Banks.....	Bristol.....															
Elkhart.....	J. C. Curtis.....	Goshen.....															

On motion by Mr. Line,
The report was laid upon the table, and two hundred copies thereof ordered to be printed for the use of the Senate.

The President laid before the Senate the following report from the State Librarian :

To the Honorable Senate of Indiana:

The following is the amount of stationery furnished Senators since the date of my last report :

SENATOR HARVEY CRAVEN—

February 4, 1861, To 6 boxes pens;
“ $\frac{1}{2}$ dozen pen holders.

SENATOR G. D. WAGNER, for Finance Committee—

February 5, 1861, To 1 quire letter paper;
“ 1 quire legal cap;
“ 1 quire foolscap;
“ 1 bundle envelopes;
“ $\frac{1}{2}$ dozen pens.

SENATOR A. L. HAMILTON—

January 28, 1861, To 2 quires letter paper;
“ 2 quires legal cap paper;
“ 2 pencils;
“ 1 glass inkstand;
February 6, 1861, “ 1 dozen quills.

SENATOR H. K. WILSON—

February 8, 1861, To 1 quire letter paper.

SENATOR S. BLAIR—

January 29, 1861, To $\frac{1}{2}$ dozen pens;
“ 2 dozen pen holders;
February 6, 1861, “ 1 quire letter paper;
“ 2 pencils.

SENATOR R. P. DEHART—

February 11, 1861, To 1 box pens.

SECRETARY JAMES M. TYNER—

January 29, 1861, To 1 bundle envelopes;
“ 4 quires legal cap;
“ 4 quires letter paper.

SENATOR J. S. HULL—

February 4, 1861, To 1 quire letter paper;
 " 1 quire foolscap;
 " 1 bundle envelopes;
 February 7, " $\frac{1}{2}$ quire note paper;
 " 2 pens and 2 pen holders;
 February 8, " $\frac{1}{2}$ quire foolscap.

SENATOR M. D. WHITE—

February 1, 1861, To 2 quires letter paper;
 8, " 1 pen holder.

SENATOR A. STONE—

January 29, 1861, To 1 quire letter paper;
 " 1 bundle envelopes;
 " 3 pen holders;
 " $\frac{1}{2}$ dozen pens;
 February 5, " 1 inkstand;
 " 2 quires letter paper;
 " 2 bundles envelopes;
 " 4 pen holders;
 " 2 pencils;
 " 1 dozen pens.

SENATOR G. K. STEELE—

January 31, 1861, To 2 quires paper, letter and cap;
 " 1 quire foolscap;
 " $\frac{1}{2}$ dozen pens;
 " 2 pencils;
 February 1, 1861, " 2 pen holders;
 " 2 bundles envelopes;
 February 5, " 1 quire letter paper;

SENATOR S. K. WOLFE—

February 1, 1861, To 4 quires note paper;
 " 1 box wafers;
 " 1 bundle envelopes.

SENATOR H. CAMPBELL—

February 4, 1861, To 1 box pens;
 " 8 pen holders.

SENATOR J. D. WILLIAMS—

February 9, 1861, To 1 quire letter paper;
 " 1 bundle envelopes;
 " 1 dozen pens.

SENATOR M. M. RAY—

January 31, 1861,	To 1 package envelopes;
	“ 4 quires letter paper;
	“ 2 pencils;
February 7,	“ 1 inkstand;
	“ $\frac{1}{2}$ dozen pen holders.

SENATOR J. D. CONNER—

February 7, 1861,	To 2 quires letter paper;
	“ 1 bundle envelopes.

SENATOR A. JOHNSON—

January 31, 1861,	To 1 quire letter paper.
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SENATOR B. L. ROBINSON—

January 31, 1861,	To 1 quire letter paper;
	“ 1 bundle envelopes;
	“ 1 pencil;
February 4,	“ 1 quire legal cap;
	“ 2 bundles envelopes.

SENATOR R. ROBBINS—

February 6, 1861,	To 1 quire note paper;
	“ 1 quire letter paper;
	“ 1 bundle envelopes;

SENATOR M. T. CARNAHAN—

January 28, 1861,	To 1 pencil;
31,	“ 1 quire note paper.

SENATOR C. O'BRIEN—

February 8, 1861,	To 1 box pens.
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SENATOR G. B. GRUBB—

February 5, 1861,	To 1 inkstand;
	“ $\frac{1}{2}$ quire letter paper;
	“ $\frac{1}{2}$ quire foolscap;
	“ 1 box pens.

SENATOR B. F. CLAYPOOL—

February 4, 1861,	To 8 quires letter and cap paper;
	“ 2 bundles envelopes;
	“ 2 boxes pens;
	“ 1 dozen pens;
February 6,	“ 3 bundles envelopes;
“ 7,	“ 1 bundle large envelopes.

SENATOR WALTER MARCH—

January 29, 1861, To 2 quires letter and foolscap paper;
 " 30, " 1 box pens.

SENATOR P. R. DICKINSON—

January 30, 1861, To 1 bundle envelopes;
 " 2 pencils;
 February 6, " 1 inkstand.

SENATOR H. C. NEWCOMB—

February 8, 1861, To 2 quires letter paper;
 " 1 package envelopes.

SENATOR C. P. FERGUSON—

January 28, 1861, To 2 quires letter and foolscap paper;
 " 2 bundles envelopes;
 " 1 pen;
 " 1 pencil.

ASSISTANT SECRETARY F. P. GRIFFITH—

January 28, 1861, To $\frac{1}{2}$ ream letter paper;
 " 31, " $\frac{1}{2}$ ream letter paper;
 February 2, " 1 ream letter paper;
 " 6 bundles envelopes;
 " 1 dozen pencils;
 February 9, " $\frac{1}{2}$ ream letter paper;
 " 11, " $\frac{1}{2}$ ream letter paper.

SENATOR TEEGARDEN—

January 29, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 quire foolscap;
 " 2 pencils;
 February 2, " 1 inkstand.

SENATOR E. H. M. BERRY—

February 1, 1861, To 1 bundle envelopes;
 " 1 box pens;
 " 2 pen holders.

SENATOR JOHN F. MILLER—

January 29, 1861, To 2 quires letter and legal cap paper;
 February 4, " 2 quires letter and legal cap paper;
 " 1 bundle envelopes;
 February 8, " 3 quires legal cap paper;
 " 1 quire letter;
 " 1 bundle envelopes.

SENATOR M. C. CULVER—

January 29, 1861, To 1 quire letter paper;
 “ 1 quire legal cap paper;
 “ 1 quire foolscap;
 “ 1 package envelopes;
 “ 2 pen holders and 12 pens.

SENATOR S. R. COBB—

January 31, 1861, To 4 quires letter paper;
 “ 1 bundle envelopes;
 “ 1 box of pens;
 “ $\frac{1}{2}$ dozen pencils.

SENATOR D. R. BEARSS—

January 30, 1861, To 6 quires paper;
 “ 3 quires legal cap paper;
 “ 4 quires note paper;
 “ 1 gross pens.

SENATOR C. L. MURRAY—

January 30, 1861, To 2 quires letter paper;
 “ 2 bundles envelopes;
 “ 2 pen holders;
 “ 2 pencils.

SENATOR J. N. CONLEY—

January 30, 1861, To 2 quires letter paper;
 “ 2 quires legal cap paper;
 “ 2 packages envelopes;
 “ 1 dozen pens;
 “ 4 pencils.

SENATOR J. H. MELLETT—

January 30, 1861, To 1 bundle envelopes.

SENATOR JAMES SLACK—

February 1, 1861, To 8 quires letter paper;
 “ 3 quires legal cap paper;
 “ 6 bundles envelopes;
 “ 1 box pens;
 “ 1 inkstand;
 February 7, “ $\frac{1}{2}$ ream letter paper;
 “ 1 dozen envelopes;
 “ 1 glass inkstand.

SENATOR M. W. SHIELDS—

February 1, 1861, To 2 quires letter paper;

February 1, 1861, To 1 quire legal cap paper;
 " 1 quire foolscap;
 " 1 box pens;
 " 6 pencils.

SENATOR SMITH JONES—

February 1, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 2 bundles envelopes;
 " 1 box pens;
 " $\frac{1}{2}$ dozen pencils.

SENATOR THOMAS SHOULDERS—

February 1, 1861, To 1 quire letter paper;
 " 1 quire note paper;
 " 2 bundles envelopes;
 " 1 box pens;
 " 7 pencils.

SENATOR W. H. CLARK—

February 2, 1861, To 1 dozen quills;
 " 1 quire letter paper;
 " 1 bundle envelopes.

SENATOR D. STUDABAKER—

February 1, 1861, To 4 quires letter and legal cap paper;
 " 3 bundles envelopes;
 " 1 box pens;
 " 1 inkstand;
 " 1 box pens;
 " 1 inkstand;
 " blotting paper;
 February 2, 1861, " 2 pen holders;
 " $\frac{1}{2}$ quire letter paper;
 " $\frac{1}{2}$ quire legal cap;
 " 1 package envelopes.

SENATOR JOHN C. SHOEMAKER—

February 5, 1861, To 1 quire letter paper;
 " 1 quire legal cap;
 " 1 bundle envelopes.

DOORKEEPER S. G. THOMPSON—

February 6, 1861, To 1 pencil

SENATOR FRANKLIN LANDERS—

February 7, 1861, To $\frac{1}{2}$ quire legal cap.

SENATOR J. LOMAX—

February 7, 1861, To 1 bundle envelopes.

The following is the amount of stationery purchased since last report:

January	21, 1861,	1 ream letter paper from Sec of State ;		
February	1, 1861,	$\frac{1}{2}$ dozen inkstands, (medium), $\frac{1}{2}$ dozen ink-		
		stands, (large size), 1 ream note paper, from		
		Sheets & Braden.		
		3 boxes envelopes, from Secretary of State ;		
February	2, 1861,	1 “ “ “ “ “		
		$\frac{1}{2}$ doz. pieces India Rubber “ “		
February	6, 1861,	10 doz. pencils “ “		
		1 ream letter paper “ “		
February	7, 1861,	$\frac{1}{2}$ doz. small glass inkstands “ “		

All of which is respectfully submitted.

R. D. BROWN, *Librarian*.

INDIANAPOLIS, February 12, 1861.

Which was referred to the Committee on Finance.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Williams presented a petition from A. M. Puett, asking compensation for attendance as witness before the Swamp Land Investigating Committee of 1859,

Which was referred (without reading) to the Committee on Claims.

Mr. Ray presented the proceedings and resolutions of a meeting of the citizens of Shelby county, Indiana, on the state of the Union,

Which was referred (under the rule) to the Committee on Federal Relations.

Mr. Ray presented the proceedings of a meeting of citizens of Rush county, Indiana, on the state of the Union,

Which was referred (under the rule) to the Committee on Federal Relations.

Mr. Williams moved to suspend the order of business, for the purpose of introducing a resolution.

The ayes and noes having been demanded by Senators Williams and Slack,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston,

Jones, Landers, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Tarkington, Williams and Wilson—19.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Culver, DeHart, Dickinson, Grubb, Hull, Line, March, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner and White—24.

So the order of business was not suspended.

REPORTS FROM STANDING COMMITTEES.

Mr. Conner, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 31, being "an act to perfect the title of purchasers of railroads sold by foreclosure, or other proceedings in law or equity, or pursuant to the powers of mortgages or deeds of trust, or by the joint exercise of those authorities; and to enable them to organize corporations, and to exercise corporate and other powers," having had the same under consideration, have directed me to report the same back to the Senate, with the accompanying amendments, and when so amended, they recommend its passage:

Amend section one by inserting after the word "run," in the twentieth line, the words "not less than thirty nor more than."

And in the twenty-first line of said section, after the word "days," insert "at the discretion of the Court ordering said sale."

Also, add to the first section the following: "And all sales of railroads made under the order or decree of a court of record, are hereby legalized as fully as though the sale had been made in pursuance of this act; *Provided*, that nothing herein contained shall be construed to legalize the decree itself, or to correct any error therein, or to legalize the sale or conveyance of any real estate by or to any railroad company, or to legalize any consolidation made by any railroad companies in this State, except the road-bed, depot grounds, and such realty as is essential to the operations of the railroad."

Consolidate sections four and five, so as to make them one section; and after the fourth section, and before the commencement of the fifth section, as they now stand, add the following:

"Be it further enacted, That the provisions of the above recited section, shall not be deemed or construed to apply to any deed or deeds of trust of any railroads partly within this State, and partly

within another State or States; but the powers of sale, or other powers of such deed or deeds may be executed in conformity therewith, or in accordance with the provisions of this act, either within or without this State, anything in said recited section contained to the contrary notwithstanding."

Add the following to the end of section four:

"*Provided further*, That the trestee shall in no case sell the mortgaged property without appraisement, unless the mortgage bonds of the defaulting corporation, and the decree of the court, shall permit and require the same to be sold."

Add the following as section five:

SEC. 5. So much of any railroad as lies in this State, and is embraced in the mortgage or mortgages sought to be foreclosed, may be sold as entirety, and the court making a decree or order of sale, may declare in the order where the principal office of the railroad company is situate within the State, and may order the sale to be made at the court house door of the county in which the principal office within the State is situate.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 30, entitled "A bill to amend sections 4, 5, 18, 20, 21, and 22 of an act entitled 'An Act regulating general elections, and prescribing the duties of officers in relation thereto,' " approved June 7, 1852, have had the same under consideration, and directed me to report the same back and recommend its passage, with the following amendments:

1st. Strike out section third.

2d. On page thirteen, line ten, section five, strike out the words "*shall put*," and insert the following: "May in their discretion put any one or all of."

3d. Section five, page thirteen, in lines twenty-two and twenty three, strike out these words: "*He shall, before his vote shall be received*," and insert these words: "and shall."

4th. Strike out all of page fourteen, and the words "*be produced*," in line eleven, page fifteen, and insert the following: "He shall, if the challenger request it, be asked by the Inspector, or one of the Judges, whether he is the identical person named in said certificate. If such certificate shall not be produced by the person offering to vote, he shall, if the challenger request it, be asked, under oath or affirmation, when and where he was naturalized, or declared his intention to become naturalized; whether he has had a certificate of

naturalization or declaration of intention, and where same may be. If the person offering to vote shall state under oath or affirmation, that by reason of the naturalization of his parents, or one of them, he has become a citizen of the United States; he shall also state, according to the best of his knowledge and belief, when and where such naturalization took place.

Page fifteen, line seven, strike out the words "*shall put*," and insert the following words: "May in their discretion put any one or all of."

Page sixteen, line three, strike out the words "*shall put*," and insert the following: "May in their discretion put any one or all of."

Strike from the title the word "eighteen."

Mr. Newcomb, from the same Committee, made the following minority report:

MR. PRESIDENT:

The undersigned, a member of the Committee on the Judiciary, respectfully represents that he is constrained to dissent from the recommendation of the majority of the Committee, in favor of the passage of Senate bill No. 30.

The second section of said bill is, in the opinion of the undersigned, an attempt to restrict the right of suffrage, as defined by the Constitution, and necessarily void. He is not willing to place officers of elections in a position, where they must disregard the laws passed by the General Assembly in obedience to the superior mandates of the Constitution, or subject themselves to prosecution for refusing the votes of those who would be disfranchised by the bill reported by the majority of the Committee.

The passage of this bill will have a tendency to destroy all uniformity in the conducting of elections. The second section being at best of doubtful constitutionality, will be disregarded by some Inspectors, and enforced by others. In some localities Judges of the inferior courts will in all probability sustain the law, and others hold it void; and officers of elections where compensation is too meager to bear such a burthen, will be forced to litigate the question at their own expense. While the undersigned is anxious to aid in the passage of any constitutional law to preserve the purity of elections, he is not willing to experiment on the Constitution. He therefore recommends that the second section of said bill be stricken out, and that the bill thus amended should be passed.

Mr. Line moved to concur in the report of the committee, with the following amendment:

Strike out *thirty days*, where it occurs, for a residence, and insert *fifteen*.

SPECIAL ORDERS.

The hour having arrived, the Senate proceeded to the consideration of the minority report from the Committee on Federal Relations, which was made the special order for to-day, at 10 o'clock, A. M.

On motion by Mr. Anthony

The further consideration thereof was postponed until Thursday next at 10 o'clock, A. M., and made the special order for that hour.

The Senate having resumed the consideration of the majority report from the Committee on the Judiciary, embodying Senate bill No. 30,

The question recurring upon the amendment offered by Mr. Line thereto,

Mr. Landers moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Carnahan and Line,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Jones, Landers, March, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Shoulders, Steele, Stone, Tarkington, Teegarden, Turner, Williams and Wilson—32.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Hamilton, Johnston, Line Lomax, O'Brien, Robinson, Shields and Slack—10.

So the amendment was laid upon the table.

The question recurring upon concurring in the majority report of the Committee on the Judiciary,

Mr. Conley demanded the previous question,
Which was seconded by the Senate.

The question being, shall the main question be now put?
It was agreed to.

The question being, shall the majority report be concurred in?

The ayes and noes being demanded by Senators Line and March,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Hull, Jones, Landers, Line, March, Miller, Murray, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, Wagner, White, Williams and Wilson—34.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Ferguson, Hamilton, Johnston, Lomax, Newcomb, O'Brien, Slack and Tarkington—10.

So the report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 47, a bill to amend the fifth and twenty-first sections of "an act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, have had the same under consideration, and directed me to report the same back, and recommend that the same lie on the table, (for the reason that the provisions of the bill are embraced in another bill, already reported to the Senate, and its passage recommended by the Committee,) which report was concurred in by the Senate.

The report was concurred in, and the bill laid upon the table.

Mr. Beeson from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate bill No. 73, a bill to amend an act entitled "an act to authorize county agricultural societies to purchase and hold real estate," approved February 7, 1855, with instructions, have had the same under consideration, and direct me to report it back, with the following amendment, to precede the emergency clause of said bill, and when so amended, recommend its passage:

SEC. 2. That all purchases of real estate heretofore made by any agricultural societies, organized in pursuance of the first section of the act of 1855, authorizing agricultural societies to purchase and hold real estate, are hereby legalized and confirmed, *provided* the number of acres purchased and held does not exceed the number specified in this act.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Line from a select committee, made the following report:

MR. PRESIDENT:

The select committee to whom was referred Senate bill No. 149, a bill authorizing the Superintendent or other persons, having charge of county asylums for the poor, to discharge inmates from the same, and to apprentice minors put under their care," have had the same under their consideration, and have directed me to report the same back without amendment, and recommend its passage.

Which was concurred in.

BILLS INTRODUCED.

Mr. Conley introduced

Senate bill No. 176. A bill to regulate the granting of reprieves and pardons,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. O'Brien introduced

Senate bill No. 167. A bill to amend section five of an act entitled "An Act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 4, 1859,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Slack introduced

Senate bill No. 178. A bill to amend the second section of an act entitled "An Act to establish courts of conciliation, to prescribe

rules and proceedings therein, and compensation of the Judges thereof," approved June 11, 1852.

Which was read a first time, and passed to a second reading on tomorrow.

On motion by Mr. Tarkington

The order of business was suspended, and the Senate took from the table Senate bill No. 86, with the accompanying report, in which it had been embodied, and the pending amendments thereto.

Senate bill No. 86. An act to amend the fourth, sixth, and seventh sections of an act entitled "An Act to amend an act to authorize and regulate the business of general banking," passed March 5th, 1855,
Was read a third time.

Mr. Conley moved to lay the amendment of Mr. Tarkington on the table.

The ayes and noes being demanded by Senators Conley and March,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Ferguson, Grubb, Hull, Johnston, Jones, Landers, March, Newcomb, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Teegarden, Turner, White, Williams, and Wilson—27.

Those who voted in the negative were,

Messrs. Beeson, Berry, Claypool, Culver, Hamilton, Line, Lomax, Murray, Odell, Robinson, Steele, Tarkington, and Wagner—13.

So the amendment of Mr. Tarkington was laid upon the table.

Mr. Anthony moved to concur in the report of the Committee, with the following amendment :

Strike out the words "and five," in the amendment to the sixth section, and insert in their place the words "and ten."

Mr. Tarkington moved to amend the amendment by striking out the words "and ten," and inserting in their place the words "and twenty."

Pending the motion to concur in the report, containing Senate bill No. 86, and the amendments thereto pending,

On motion by Mr. Conner,
The Senate adjourned.
S. J.—30.

SATURDAY MORNING, 9 o'clock, }
February 15, 1861. }

The Senate met.

The Journal of the preceding day was read.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Murray presented a memorial from the Union Agricultural Society of the tenth Congressional District, asking the enactment of a law for the protection of sheep from dogs,

Which was referred to the Committee on Agriculture.

Mr. Hamilton presented memorials from sundry citizens of the State of Indiana on the State of the Union,

Which, under the rule, were referred to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. Steele from the Committee on Finance made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 32, "A bill changing the law for the assessment of property and the levy and collection of taxes," have had the same under consideration and have directed me to report said bill back to the Senate and recommend that it be indefinitely postponed,

Which was concurred in.

Mr. Hamilton, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 23, "a bill to amend the seventieth section of an act entitled an act for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, and for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852," have had the same under consideration, and have directed me to report said bill back to the Senate, and recommend that it be indefinitely postponed,

Which was concurred in.

Mr. Claypool, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, who were, by resolution of the Senate, required to examine the office of the Treasurer of State and report to the Senate whether the bonds and stocks of the various free banks of the State were on file in said office, as required by law, made such examination, and find that the bonds and stocks with the proper coupons attached of the several free banks of the State are now on file in said office. A schedule of the bonds and stocks of the several banks is herewith presented.

Bank of Mount Vernon.

Indiana 5s.....	\$33,000
Indiana 2½s.....	23,315
Louisiana 6s.....	2,000
Georgia 7s.....	38,000
North Carolina 6s.....	2,000
Missouri 6s.....	14,000

Southern Bank of Indiana.

Michigan 6s.....	\$3,000
California 7s.....	30,000
Virginia 6s.....	5,000
Louisiana 6s.....	2,000
Tennessee 6s.....	3,000
Indiana 5s.....	70,000
Indiana 2½s.....	10,000

Exchange Bank, Greencastle.

Indiana 2½s.....	\$88,758
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Exchange Bank, Attica.

Indiana 2½s.....	\$83,810
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Cambridge City Bank.

Indiana 2½s.....	\$86,334
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Paoli Bank.

Louisiana 6s.....	\$33,000
Missouri 6s.....	30,000

Lagrange Bank.

North Carolina 6s.....	\$5,000
Tennessee 6s.....	5,000
Kentucky 6s.....	13,000
Louisiana 6s.....	21,000
Indiana 5s.....	14,000
Indiana 2½s.....	22,500

Bank of Goshen.

Missouri 6s.....	\$5,000 00
Tennessee 5s.....	9,000 00
Louisiana 6s.....	14,000 00
Indiana	52,502 50

Bank of Salem.

Kentucky 6s.....	\$3,000
California 7s.....	17,500
Missouri 6s.....	50,000

Bank of Elkhart.

Indiana 5s.....	\$37,000
Missouri 6s.....	27,000

Indiana Farmers Bank.

Missouri 6s.....	\$8,000
Indiana 5s.....	53,000

Bank of Salem, New Albany.

Indiana 6s.....	\$5,000
Louisiana 6s.....	500
Indiana 5s.....	1,000
Indiana 2½s.....	15,000
Missouri 6s.....	71,000

Bank of Rockville.

Louisiana 6s.....	\$25,000
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Crescent City Bank.

Kentucky 6s.....	\$2,500
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Bank of Corydon.

Indiana 5s.....	\$21,000
Indiana 5 certif.....	6,000
Indiana 2½ certif.....	10,000
Tennessee	12,000
Missouri 6s.....	3,000
North Carolina 6s.....	9,000

Indiana Bank, Madison.

California 7s.....	\$9,500 00
Indiana 2½s.....	48,077 50
Indiana 5s	50,500 00
Pennsylvania.....	1,000 00

Prairie City Bank.

Louisiana 6s.....	\$24,000
Missouri 6s.....	26,000
Indiana 5s.....	15,000
Indiana 2½s.....	10,000

Kentucky Stock Bank.

Indiana 5s.....	\$20,000
Indiana 6s.....	15,000
California 7s.....	20,000

Salem Bank, Goshen.

Louisiana 6s.....	\$41,000
Virginia 6s.....	5,000
Indiana 5s.....	10,500
Indiana 2½s.....	8,000

Parke County Bank.

Indiana 5s.....	\$100,000
Indiana 2½s.....	1,000

The report was concurred in, and,

On motion,

Two hundred copies thereof was ordered to be printed for the use
of the Senate.

Mr. Conley from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 158, a bill to amend the first section of "an act concerning the interest on money," approved May 27, 1852, have directed me to report said bill back to the Senate, and recommend its indefinite postponement.

Which was concurred in.

Mr. Johnston from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 135, a bill declaring commission merchants, attorneys at law and railroad conductors, who shall commit a breach of trust, to be guilty of felony, and defining the punishment therefor, have directed me to report said bill back to the Senate, and recommend its passage, with the following amendment, to-wit: "*Provided* that nothing in this act shall prevent attorneys at law from retaining their fees, or commission merchants their lawful commission."

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Mellett from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 81, a bill to amend the fifty-first section of "an act defining misdemeanors, and prescribing punishment therefor," approved January 14, 1852, have directed me to report said bill back to the Senate, and recommend its passage, with the following amendment:

Strike out the word "five," and insert "not less than one nor more than five."

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Blair from the Committee on Finance, made the following report:

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 61, an act to require the county treasurers to settle with the county auditors for the delinquent tax collected, and to regulate the accounting for the same, and to repeal an act to amend the one hundred and third section of an act entitled "an act to provide for the valuation and assessment of real and personal property and the collection of taxes in the State of Indiana, and for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," have directed me to report said bill back to the Senate, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Conley from the Committee on Finance, made the following report:

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 112, an act to regulate the remission of fines and forfeitures, and to repeal all laws conflicting with the provisions of this act, have had the same under consideration, and directed me to report said bill back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Shoemaker from the Committee on Finance, made the following report:

MR. PRESIDENT :

The Committee on Finance, to whom was referred Resolution No. 24, have directed me to report said resolution back to the Senate, and recommend that it lie on the table.

Which was concurred in.

Mr. Shoemaker from the Committee on Finance, made the following report:

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 140, a bill supplemental to an act entitled "an act providing for the

colonization of negroes and mulattoes and their descendants, and appropriating five thousand dollars therefor, constituting a State Board of Colonization, declaring the duties of said board, and of the State Treasurer and county Treasurers in relation thereto," approved April 28, 1852, have directed me to report said bill back to the Senate, and recommend its passage.

Mr. Murray moved to amend the report, so as to indefinitely postpone the bill.

The ayes and noes being demanded by Senators Murray and Newcomb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Line, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Wagner, White, Williams, and Wilson—35.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Hamilton, Johnston, Jones, Landers, Lomax, Miller, Shields and Turner—11.

So the report was amended, and

Senate bill No. 140, therein contained, was indefinitely postponed.

Mr. Wagner, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

A petition from the citizens of Brown county, has been examined by the Committee on Finance, to whom it was referred, and said committee have directed me to report said petition back to the Senate, and recommend that it lie on the table, inasmuch as a bill has been introduced embracing the same subject.

Which was concurred in.

Mr. Tarkington from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred a petition from

the citizens of Montgomery county, have directed me to report said petition back, and recommend that it lie on the table.

Which was concurred in.

Mr. Wagner from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 144, a bill to amend the sixth section of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 26, 1852, so as to exempt certain property therein named from taxation," have had the same under consideration, and directed me to report said bill back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 138, a bill to amend the second section of an act entitled "an act to amend the two hundred and seventh and two hundred and eighth sections of 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,' approved June 18, 1852, so as to authorize a change of venue in certain cases," approved March 5, 1859, have had the same under consideration, and directed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. DeHart from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 92, entitled "an act to empower notaries public to solemnize marriages," have considered the same, and direct me to report the same back, and recommend that it lie on the table,

Which was concurred in.

Mr. Conner from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 146, "a bill in relation to petit juries," having had the same under consideration, have directed me to report the same back to the Senate, with the accompanying amendments, and, when so amended, recommend its passage:

Amend as follows, namely: After the word "prosecution," insert "who is not of the regular pannel."

After the word "county," in the eleventh line, insert "as talesman."

Also, strike out the eighteenth line.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 123, a bill to amend section six hundred and one of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have duly considered the same, and direct me to report said bill back to the Senate, with a recommendation that it lie on the table,

Which was concurred in.

Mr. Newcomb from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 114, entitled "a bill for the relief of borrowers of sinking fund, surplus revenue fund, saline fund, congressional school fund, and other funds, and to repeal a certain act therein named, and prescribing how mortgages may be substituted, and matters properly connected therewith," have had the same under consideration, and directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Ray, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate bill No. 109, entitled "An Act to amend the first section of an act entitled 'An Act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint when necessary,'" approved ——— 29th, 1852, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it lay on the table,

Which was concurred in.

Mr. Slack, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 155, "A bill to amend the 20th section of an act entitled 'An Act defining felonies, and prescribing punishment therefor,'" approved June 10, 1852, have had the same under consideration, and requested me to report the same back, and recommend that it be laid on the table,

Which was concurred in.

Mr. Ray, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill

No. 156, entitled "An Act to regulate the discount and distribution of property of adopted children," have had the same under consideration and instruct me to report the same back to the Senate and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 116, "A bill to amend section eight of an act to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 5th, 1852, have had the same under advisement, and have recommended me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Slack, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 126, a bill to repeal so much of an act entitled "An Act to provide for equalizing the appraisement for taxation of the real property of the State of Indiana," approved May 28th, 1852, as authorizes holding district and State Boards of Equalization, have requested me to report the same back for the action of the Senate. There being no legal question involved for the consideration of the Committee, a report as to the propriety of the passage of the bill was not, by the Committee, determined upon.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No.

150, a bill to amend sections four and seven of an act entitled "An Act to provide for the election, fixing the compensation, and prescribing the duties of Attorney General of the State of Indiana," approved February 21, 1855, have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendment, to-wit: Amend section seven, by adding thereto the following: "*Provided*, That in no event shall the docket fee be paid by the State," and when so amended, said Committee recommend its passage.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

M. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 115, a bill to amend the second and fifth sections of an act entitled "An Act to authorize the Commissioners of the Sinking Fund to receive substitutes of stock mortgages, and for other purposes," approved January 28th, 1857, and containing some provisions respecting the reinstating of mortgages given for loans, made from the Sinking Fund, or any fund loaned by the Auditor or Treasurer of State, and of sales made on account of any said funds, and respecting the safety, collection, and control of said funds, the time, place, and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith, have had the same under consideration, and have instructed me to report the same back with the following amendments:

Change the number of section eight to section nine; insert the accompanying section eight, and the accompanying amendment to the title.

And when so amended, recommend its passage.

Section 8. The Commissioners shall be authorized to exchange or convert the Indiana five per cent. stocks belonging to the Fund into Bank Bonds, as the same can be procured or purchased, on the best terms practicable, and while the income of the fund is accumulating for distribution, or for purchasing Bank Bonds, they shall have power to deposit the same in responsible banking institutions, with satisfactory security to the amount thereof, at any time, at interest for the benefit of the fund, and payable on demand.

Add to title:

And authorizing the conversion of Indiana stocks into Bank Bonds, and requiring the Commissioners to account for all interest

on deposits of the income of the fund, and making the same a part thereof.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Miller, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 142,^a a bill to authorize the trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its Cabinet and Library, and the improvement of the University Square in the city of Indianapolis, and directing the State Librarian to transfer certain documents and books herein named, to the Library of the State University; also making the State Geologist a member of the Faculty of the State University, and requiring him to deposit specimens of Mineralogy and Geology in the cabinet of the same," have had the same under consideration, and direct me to report said bill back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Line, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 111, a bill to amend section twenty-three of an act entitled an act for the relief of the Indiana University, and to increase and extend its benefits by providing for the sale of the lands granted by the United States for the use of said University regulating the sales thereof, and prescribing the duties of the officers therein mentioned in relation thereto, approved March 2, 1859, have had the same under consideration, and have directed me to report the same back to the Senate without amendment and recommend its passage: All of which is most respectfully submitted.

The report was concurred in, and the bill ordered to be engrossed, and read a time on to-morrow.

Mr. Tarkington, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 160, a bill providing for the opening of a normal department in the State University, and authorizing a settlement with the administrator of the estate of J. Smith, Commissioner of Reserved Townships, Gibson county, and legalizing the settlement made by the President of the Board of Trustees with J. M. Berry, Commissioner of Reserved Townships, Monroe county, have directed me, that after amending the title by adding "and providing for the sale of the lands therein mentioned," to report the same back, and, after so amending the title, recommend its passage.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Odell, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 94, a bill to provide for the collection of taxes assessed against lands and lots mortgaged to secure loans made of the Sinking Fund, Surplus Revenue Fund, Saline Fund, Congressional Township Fund, College Fund, Seminary Fund, or other Public or Trust Funds, to prevent loss of the securities held by said Fund, and to repeal the eighth section of chapter six of the Revised Statutes of 1852, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Culver, Chairman of the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

I am directed by the Committee on County and Township Business, to whom was referred Senate bill No. 108, a bill to allow county commissioners to organize turnpike companies, (where a majority of persons representing the real estate within prescribed limits petition for the same,) and levy tax for its construction, and provide for the same to be free, have directed me to report back the same and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Culver, Chairman of the Committee on County and Township Business made the following report:

MR. PRESIDENT:

A resolution of inquiry to amend the present law so as to require

the county treasurers to set forth in a separate column the amount assessed to each piece of land or personal property, have had the same under consideration, and deem it inexpedient to change the law upon the subject.

Which was concurred in.

Mr. PRESIDENT:

Mr. March, from the Committee on the Phraseology and Arrangement of Bills, made the following report:

The Committee on the Phraseology and Arrangement of Bills, to whom was referred for examination Senate bill No. 85, a bill to legalize the appointment and assessment of property in the cities of this State in certain cases, find the same correct with the following change in the phraseology, viz: transfer the words in the fifth, sixth and seventh lines so as to read as follows:

Out a full and complete list of all persons and an appraisement of all property liable by law to taxation in any.

Which was concurred in.

BILLS INTRODUCED.

Mr. O'Brien introduced

Senate bill No. 179. A bill to authorize master commissioners of the circuit and common pleas courts in this State to issue writs of habeas corpus, and to try cases arising under such writs, and to award injunctions and restraining orders, and writs of Ne Exeat, and providing further compensation for said services,"

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Slack introduced

Senate bill No. 180. A bill to amend an act entitled "an act to amend the first section of 'an act authorizing the construction of plank, macadamized and gravel roads,' approved May 12, 1852," approved March 5, 1859,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. O'Brien introduced

Senate bill No. 181. A bill to amend the thirteenth section of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Slack introduced

Senate bill No. 182. A bill to repeal an act entitled "an act prescribing the duties, and fixing the compensation, of State agent,"

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cobb introduced

Senate bill No. 183. An act to amend section first of "an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto," approved December 21, 1858, also defining the duties of appraisers and deputy appraisers and the Auditor of State, approved March 4, 1859. Also defining the duties of county auditors and boards of county commissioners in regard to the appraisement of railroads,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Cobb introduced

Senate bill No. 184. An act conferring jurisdiction upon justices of the peace in certain cases where executors, administrators or guardians are plaintiffs,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Ray introduced

Senate bill No. 185. A bill to amend section eight of an act entitled "an act to fix the time of holding the common pleas courts in the several counties in this State, the duration of the terms thereof, and making all process from the present common pleas courts returnable to such terms, and declaring when the same should take effect, and repealing all laws inconsistent therewith," approved March 5, 1859,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner moved to suspend the oreer of business, and take from the files House bill No. 1,

Which was agreed to.

House bill No. 1. A bill defining certain felonies and misdemean-
S. J.—31.

ors, and prescribing punishment therefor, and providing for certain evidence on the part of the State,

Was read a second time.

Mr. Murray moved to refer the bill to the Committee on Finance, with instructions to make the penalties of the bill applicable to township officers, as well as county and State officers, and to amend the bill so as to conform to the Senate bill reported by the Judiciary Committee.

Mr. Tarkington offered the following additional instructions:

Add to section one: "*Provided* that all the monies received and disbursed by any State, county or township officers, shall be in gold and silver."

Which was decided by the President out of order.

Mr. Jones offered the following amendment to the amendment:

Amend so as to exempt the sinking fund commissioners from the provisions of the bill.

The question recurring upon the motion to refer the bill and pending amendments to the Committee on Finance,

It was agreed to.

Mr. Newcomb offered the following instructions:

"That the committee be instructed to inquire into the expediency of so amending that the penalties as to depositing public funds shall not take effect until proper safes or vaults are provided by the State for the State Treasury, and as to county treasurers, until the county commissioners shall provide like means of securing the safety of county funds. Also to amend that deposits may be made in solvent banks in the name of the State, and satisfactory surety being given for the re-payment of such deposits on demand. The interest on deposits to be paid into the State Treasury."

Mr. Line offered the following additional instructions:

"Make all custodians of public monies amenable to the law."

Which were referred to the Committee on Finance.

The Senate having resumed the consideration of Senate bill No. 86, and the amendments thereto, pending at adjournment on yesterday,

Mr. Conley moved to lay the amendments upon the table.

Mr. Anthony demanded a division of the question.

The question being, shall the amendment to the amendment be laid upon the table?

It was agreed to.

The question being, shall the amendment be laid upon the table?

It was agreed to.

Mr. Cobb offered the following amendment:

Amend by adding to the sixth section the following: "*Provided*, further, that the bank notes issued by any banking association, shall be received in payment of any debt or liability, due the banking association so issuing such bank notes, and the same rule shall prevail for one year after said transfer of said bank, or other stock thereof, to other individuals for banking purposes, in regard to the debts or liabilities incurred, either before or after such transfer,"

Which was agreed to.

The question being, shall the report be concurred in?

It was agreed to, the amendments were adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate bill No. 161. A bill to amend the twelfth section of an act entitled "an act for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms in such settlement," approved June 17, 1852,

Was read a second time and referred to the Committee on the Judiciary.

Senate bill No. 162. A bill to provide for the execution of conveyances by commissioners in the case of deceased venders of real estate,

Was read a second time and referred to the Committee on the Judiciary.

Mr. Line offered the following instructions:

"And said administrator shall make a deed to the parties, to be approved by the court."

On motion by Mr. Line,

The instructions were referred, with the preceding bill, to the same Committee.

Senate bill No 163. A bill to amend section four hundred and sixty-seven of an act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 164. A bill to authorize administrators and executors to administer oaths to appraisers and clerks who may be employed in connection with decedents' estates.

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 165. A bill to amend section twenty-six of an act entitled "an act authorizing the construction of plank, McAdamized and gravel roads, approved May 12, 1857,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 167. A bill to provide for laying out and repairing highways upon the line between Indiana and adjoining States,

Was read a second time and referred to the Committee on Roads.

Senate bill No. 168. A bill to enable guardians of the minor heirs of deceased persons to execute conveyances of real estate, in pursuance of contracts made in relation thereto by deceased owners,

Was read a second time, and referred to the committee on the Judiciary.

Senate bill No. 169. A bill to amend the sixth section of the act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852," by providing that any companies which may have been incorporated in this State for any of the purposes contemplated in said act with a fixed amount, or limitation of capital, may increase the same by a vote of its stockholders in the same manner as is provided in said section for increasing capital stock,

Was read a second time, and referred to the Committee on Agriculture.

Senate bill No. 170. A bill to amend the first, second, third and fourth sections of an act entitled "an act for the protection of the trust and other funds of this State, and to provide for the substitution of mortgages, and prescribing the punishment of officers, who loan a

greater amount of said funds than is authorized by law, approved March 2, 1855,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 171. A bill to repeal an act entitled "an act to provide for the return of the jury in the Common Pleas Court at the third day of the term, approved March 5, 1859,"

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 172. A bill providing for the binding of printed matter, ordered by the State to be bound in book form,

Was read a second time, and referred to the Committee on printing.

Senate bill No. 173. An act to provide for the election of delegates to a General Convention of the States, should such election and Convention be called for by the Congress of the United States,

Was read a second time, and referred to the Committee on Federal relations.

Senate bill No. 174. A bill declaring that sales of land heretofore made by sheriffs under execution with a previous appraisement of the rents and profits, shall not be considered void on account of such failure, and to prevent such sales from being set aside in certain cases,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 175. A bill to amend section forty-two of an act entitled "An Act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for, the Judges thereof," approved May 14th, 1853, so as to regulate the docketing and disposal of the business thereof, and the act amendatory thereto, approved March 5th, 1859,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 176. A bill to regulate the granting of reprieves and pardons.

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 177. A bill to amend section five of "An Act to fix the time of holding the Common Pleas Courts in the several coun-

ties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Was read a second time.

Mr. Hull moved to suspend the rules, and read the bill a third time now.

The ayes and noes being taken under the Constitution,

Those voting in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnson, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, and Wilson.—41

No Senator voting in the negative.

So the rules were suspended, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Williams, and Wilson—41.

Senator Newcomb voted in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 178. A bill to amend the second section of an act entitled "An Act to establish courts of conciliation, to prescribe rules and proceedings therein, and compensation of the Judges thereof," approved June 11th, 1852.

Was read a second time, and referred to the Committee on the Judiciary.

House Bills on Second Reading.

House bill No. 86. A bill to amend sections eight and ten of an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties in civil cases," approved June 9th, 1852.

Was read a second time, and referred to the Committee on the organization of Courts.

House bill No. 119. A bill concerning the State, County, Township and Road Tax of the counties of Jasper and Newton.

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

A message from the House by Mr. Nealey, a clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to present enrolled House bill No. 152 ; "An Act to amend section nineteen of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms," &c., approved March 5, 1859, to the President and Secretary of the Senate for their signatures.

The President and Secretary signed the bill.

Senate Bills on Third Reading.

Senate bill No. 31. A bill to perfect the title of purchasers of railroads sold by foreclosure or other proceedings in law or equity or pursuant to the provisions of mortgages or deeds of trust, or by the joint exercise of those authorities, and to enable them to organize corporations, and to exercise corporate and other powers.

Was read a third time.

The question being, shall the bill pass ?

Pending the consideration thereof, the hour having arrived,

The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
February 16, 1861. }

The Senate met.

On motion by Mr. Line,

The reading of the journal was dispensed with.

On motion by Mr. Line,

Mr. Williams was granted leave of absence until Tuesday next, at 9 o'clock A. M.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Hamilton presented memorials from sundry citizens of Indiana, on the state of the Union,

Which were referred to the Committee on Federal Relations.

Mr. Teegarden presented a petition from sundry citizens of the city of Laporte, Indiana, asking the enactment of a law limiting the expenditures of small cities.

Which was referred to the Committee on Corporations.

REPORTS FROM STANDING COMMITTEES.

Mr. Claypool from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 91, being a bill to amend the fortieth section of an act entitled "an act to establish courts of common pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1852, and supplemental to said act, providing a penalty for the violation of said act as amended, by any judge of a court of common pleas in this State," have had the same under consideration, and have requested me to report the

same back to the Senate with the following amendment, and when so amended, recommend its passage:

Amend section one so as to read thus: '

SEC. 40. No judge of a court of common pleas in this State shall practice law in any of the courts of this State, nor shall any such judge be associated with, or practice law in connection with, any person or persons as a partner or otherwise, in any court in this State during his continuance in office.

Amend section two by inserting in line ten of said section, after the words "circuit court" the words "or any other person."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 88, a bill to amend sections sixty-two and seventy-one of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852, have considered the same, and have directed me to report said bill back to the Senate, with the following amendments, and to recommend its passage after being so amended:

First. Amend the title by striking out the word "sections" in the first line, and inserting "section," and by striking out the word and figure "62 and" in second line.

Second. Strike out all of the first section after the words "Be it enacted by the General Assembly of the State of Indiana," and insert the second section in lieu of the same, so as to make the second section the first and only section of the bill.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Cobb from the Committee on Organization of Courts made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 93, a bill to amend section seven of an act entitled

"an act to fix the time of holding common pleas courts in the several counties of this State, the duration of the terms thereof, and make all process from the present common pleas courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, so as to change the terms of holding said courts in Jackson county, and declaring when this act shall take effect, have had the same under consideration and directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred the memorial of the board of county commissioners of St. Joseph county, in relation to the exempting of the real estate belonging to manual labor schools from taxation, and also the remonstrance of the Brothers of St. Joseph, of Notre Dame du Lac thereto, have duly considered the subject matter of said memorial and remonstrance, and have directed me to report the same back to the Senate with a recommendation that they lie upon the table. I am also directed by said Committee to report to the Senate the accompanying bill upon the subject, and to recommend its passage:

Senate bill No. 186. A bill to amend section six of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.

The report was concurred in, and Senate bill No. 186, therein contained,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. March, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 113, a bill to amend the 144th section of an act entitled "An

Act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice; without distinction between law and equity," approved June 18th, 1852, have had the same under consideration, and directed me to report the same back and recommend its passage, with the following amendment, viz: insert after the word "delivering," in fifth line, 2d page, these words, viz: "the same or."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Dickinson, from the Committee on the organization of Courts, made the following report:

MR. PRESIDENT:

I am directed by the Committee on the Organization of Courts, to whom was referred Senate bill No. 151, a bill to amend an act approved March 5, 1859, to amend section forty-two of an act entitled "An Act to establish Courts of Common Pleas, and to define the jurisdiction and duties of, and providing compensation for, the Judges thereof," approved May 14th, 1853, so as to regulate the docketing and disposal of the business thereof, to report the same back, and recommend that the same be laid upon the table.

The concurrence of the Senate is respectfully requested.

Which was concurred in.

Mr. Conner, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the organization of Courts, to whom was referred Senate bill No. 136, being an act to amend section six of an act entitled "An Act providing for the organization of County Boards, and prescribing some of their powers and duties," approved June 17th, 1852, having had the same under consideration, have directed me to report the accompanying amendment, and when so amended, recommend its passage:

Amend as follows: Strike out all that part of the first section on the fifth page from the word "but" in the third line to the end of section.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Dickinson, from the Committee on the organization of Courts, made the following report :

MR. PRESIDENT :

I am directed by the Committee on the organization of Courts, to whom Senate bill No. 152, a bill to amend an act to provide for the return of the Jury in the Common Pleas Courts at the third day of the term, approved March 5th, 1859, so that the Jury be returnable on the second day of the term, was referred, to report the same back with the amendment, so that it read : " That the Jury for the Common Pleas Courts shall be in attendance on the day of the term that the Judge of the Court may designate, at any preceding term, and the venires shall be made returnable on that day," and recommend its passage.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Beeson, from the Committee on Agriculture, made the following report :

MR. PRESIDENT :

The Committee on Agriculture, to which was referred a resolution on the subject of the State purchasing the geological and mineralogical collection of the late David Dale Owen, have had the same under consideration, and from the embarrassed condition of the finances of the State, the Committee direct me to report that they deem it inexpedient to legislate upon the subject.

Which was concurred in.

Mr. Conner introduced

Senate bill No. 187. An act to repeal an act entitled "an act providing for extending the terms of the Circuit Courts by adjournment when the pending business shall be unfinished, approved February 12, 1855," to authorize the court or judge to call and hold special terms, and to provide for the compensation of the judges for holding such adjourned and special term, and of prosecuting attorneys while in attendance upon the same, approved 1858,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. DeHart introduced

Senate bill No. 188. A bill to amend section five of an act enti-

tled "an act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852, and supplemental thereto, conferring upon notaries public all the powers conferred upon justices of the peace in civil cases,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Murray introduced

Senate bill No. 189. A bill to repeal all laws now in force making appropriations in aid of colonizing negroes and mulattoes of this and other States,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. March introduced

Senate bill No. 190. A bill to amend the first section of an act entitled an act concerning interest on money, approved May 27, 1852,

Which was read a first time, and passed to a second reading on tomorrow.

By unanimous consent,

Mr. Bearss offered the following resolution :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of fixing, by law, a uniform price for publishing the delinquent tax lists of the several counties of this State, and also of requiring greater accuracy, in the description of lands advertised, and that they report by bill or otherwise,

Which was agreed to.

On motion by Mr. Conley,

The order of business was suspended, and

Mr. Conley introduced

Senate joint resolution No. 13. A joint resolution making an appropriation for the relief of the destitute sufferers in Missouri and Kansas,

Which was read and referred to the Committee on Finance.

ORDERS OF THE DAY.

Senate Bills on Second Reading.

Senate bill No. 166. A bill supplemental to "an act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children, "approved May 6, 1852," so as to provide for the discharge of defendants from prison in certain cases, and declaring an emergency for the immediate taking effect of this act,

Was read a second time, ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 179. A bill to authorize Master Commissioners of the Circuit and Common Pleas Courts in this State to issue writs of *habeas corpus* and to try cases arising under such writs, and to award injunctions and restraining orders on writs of *ne exeat*, and providing for their compensation for said services,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 180. A bill to amend an act entitled "an act to amend the first section of an act authorizing the construction of plank, McAdamized and gravel roads," approved May 12, 1852, approved March 5, 1859,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 181. A bill to amend the 13th section of an act entitled an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 182. A bill to repeal an act entitled "an act prescribing the duties and fixing the compensation of State Agent,"

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 184. A bill conferring jurisdiction upon justices of the peace in certain cases, where executors, administrators or guardians are plaintiffs,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 185. A bill to amend the eighth section of an act entitled "an act to fix the time of holding the Common Pleas Courts in the several countries in this State, the duration of the terms there-

of, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when the same should take effect and repealing all laws inconsistent therewith, approved March 5, 1859,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 183. A bill to amend section first of an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto," approved December 21, 1858. Also, defining the duties of appraisers and the Auditor of State, approved March 4, 1859. Also, defining the duties of county auditors and boards of county commissioners in regard to the appraisement of railroads,

Being on its second reading, Mr. Cobb moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Blair, Campbell, Carnahan, Cobb, Conley, Conner, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, White and Wilson—34.

No Senator voting in the negative.

So the rules were suspended, the bill read a second time by its title and ordered to be engrossed and read a third time on to-morrow.

On motion,

Mr. Newcomb was granted leave of absence until Tuesday next, at 2 o'clock P. M.

On motion by Mr. Conner,

The Senate took up the following House messages:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill thereof No. 190, a bill

to provide for the expenses of the present session of the Legislature, in which the concurrence of the Senate is most respectfully requested.

House bill No. 190. A bill to provide for the expenses of the present session of the Legislature, contained in the foregoing message,

Which was read a first time, and passed to a second reading on tomorrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate of the concurrence of the House in Senate Joint Resolution No. 12, proposing an amendment to the Constitution, so as to enable incorporated cities, townships and towns to raise money for the support of common schools without requiring a uniform rate of taxation between the different corporations.

Leave being granted,
Mr. Teegarden introduced

Senate Joint Resolution No. 14. A joint resolution requiring the Secretary of State to index the local laws of the State from 1830 to 1852,

Which was read and referred to the Committee on Finance.

Mr. Conley offered the following resolution:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law for the prevention of dueling in this State, as to expel any member of the State Legislature who shall give or accept a challenge to fight a duel and after the giving or acceptance of such challenge shall suffer him or themselves to be arrested, or shall in any manner countenance any obstruction to such fight, or in case either of the parties back down from such fight for any cause whatever, he shall be sentenced to the Northern State Prison for a term of years to be fixed by this Legislature; *Provided*, however, that if such parties shall fight honorably, they shall in no wise be amenable to the law. And said Committee is requested to report by bill or otherwise as soon as it is convenient for them to do so, as the law in relation to dueling is deemed insufficient to prevent that desperate method of adjusting difficulties between members of the Legislature.

On motion by Mr. Conner,

The resolution was laid upon the table.

On motion by Mr. Line.

Resolved, That a committee of three be appointed to inquire by actual inspection whether there may not be an arrangement of the desks of the Senate, so as to be more convenient, and give more room, and report by making the change, if deemed necessary.

The President appointed Senators Line, Conner and Turner said committee.

On motion by Mr. Landers,

Resolved, That the Committee on Banks be required to examine all laws on the subject of interest, and report to the Senate by what law the bankers are allowed to take the enormous rate of interest they now take, and if they find the laws give to incorporations privileges denied to private individuals, they are required to introduce a bill to repeal the same, so that all persons may take the same rate.

Mr. Miller offered the following resolution:

Resolved, That the Doorkeeper be directed to contract with Ariel and W. H. Drapier for six hundred copies of their Brevier Reports of the proceedings and debates of the present session of the General Assembly, one copy to be laid on the desk of each member of the Senate, as printed, and the remainder to be bound and distributed as the laws and journals; *Provided* the said reports, except the binding, shall not cost more than one dollar per copy.

Which was referred to the Committee on Finance.

On motion by Mr. Murray,

Resolved, That the Committee on the Judiciary inquire into the expediency of so amending the law on that subject, that petitioners for the removal of guardians and administrators shall be entitled to an appeal from the Court of Common Pleas, the same as in all other civil cases.

Mr. Lomax offered the following concurrent resolution:

Resolved by the Senate, (the House concurring), That a joint committee of three on the part of the Senate and five on the part of the House be raised to consider as to the propriety of reporting a bill to provide for the gradual but certain liquidation of the State debt within a reasonable time.

Which was agreed to, and

The President appointed Senators Lomax, Wagner and Mellett said committee on the part of the Senate.

Mr. Claypool offered the following resolution:

Resolved, That if any Senator does not hereafter offer a resolution when the same is in order, he be declared in contempt and be required to furnish oysters for the Senate and officers of the Senate.

Which,

On motion by Mr. Murray,
Was laid upon the table.

Leave being granted,
Mr. Mellett introduced

Senate bill No. 191. A bill to create the Sixteenth Judicial Circuit for the State of Indiana,

Which was read a first time and passed to a second reading on tomorrow.

On motion by Mr. Newcomb

Resolved, That the Auditor of State be requested to report to the Senate the amount of warrants issued on the Colonization Fund since the passage of the act providing for the colonization of negroes and mulattoes, approved April 28th, 1852, and for what purpose the expenditures have been made, distinguishing between expenditures for transporting negroes and mulattoes out of the State, and other expenditures.

Leave being granted,
Mr. Hull introduced

Senate bill No. 192. A bill to provide for the change of width of State Roads,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Johnston offered the following preamble and resolution:

WHEREAS, It is understood that the State University Fund is indebted to the Sinking Fund; and

WHEREAS, The said University Fund has large amounts of money loaned on mortgages;

Be it Resolved, That the Committee on Education be instructed to inquire into the expediency of the passage of some law by which said mortgages may be transferred to the Sinking Fund Commissioners in payment of said debt, and report by bill or otherwise.

Which was agreed to.

On motion by Mr. Beeson,

Resolved, That no member of the Senate be allowed to speak on any subject longer than twenty minutes.

On motion by Mr. Turner,

Resolved, That the Committee on Public Printing inquire into the propriety of having the laws published in any weekly newspaper in each county where one is printed.

On motion by Mr. Murray,

Resolved, That the Committee on County and Township Business inquire into the expediency of reporting a bill transferring the location, vacation or change of all public highways within the respective townships, from the Board of County Commissioners to the Township Trustees.

On motion by Mr. Miller,

Resolved, That the Committee on County and Township Business be instructed to inquire into the expediency of abolishing the office of Township Assessor, and creating the office of County Assessor, as the same existed previous to the passage of the present law, and to report by bill or otherwise.

On motion by Mr. Line,
The Senate adjourned.

MONDAY, 2 o'clock, P. M., }
February 18, 1861. }

The Senate met.

On motion by Mr. Murray,

The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Carnahan presented a petition from J. A. Ray, asking the enactment of a law for the protection of sheep from dogs,
Which was referred to the Committee on Agriculture.

Mr. Hamilton presented memorials from sundry citizens of Indiana, on the State of the Union,
Which were referred, without reading, to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. March, Chairman of the Committee on the Judiciary, made the following report:

M. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 157, a bill to amend the first, eleventh and twelfth sections of an act entitled "an act to exempt property from sale in certain cases, approved February 17, 1852, have had the same under consideration, and directed me to report the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Conner, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 101, a bill to amend section one hundred and sixty-eight of "an act to provide for the valuation and assessment of the real and personal

property and the collection of taxes in the State of Indiana, for the election of township assessors and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors and the Treasurer and Auditor of State, approved June 21, 1852," having had the same under consideration, have directed me to report the same back to the Senate, with the accompanying amendments, and when so amended recommend its passage.

Amend by inserting on the fifth page after the word "namely," the following :

Whereas A. B. did, on the ——— day of ———, 18—, produce to the undersigned, C. D., auditor of the county of ———, in the State of Indiana, a certificate of purchase in writing, bearing date the ——— day of ———, 18—, signed by E. F., who, at the last mentioned date, was auditor of said county, from which it appears that the said A. B. did, on the ——— day of ——— 18—, purchase at public auction, at the door of the court house in said county, the tract, parcel, or lot of land lastly in this indenture described, and which lot was sold to ——— for the sum of ——— dollars and ——— cents, being the amount due on the following tracts or lots of land returned delinquent in the name of G. H., for the non-payment of taxes, costs and charges for the years ——— named; (here set out the lands offered for sale,) which said lands had been recorded, among other tracts, in the office of said auditor, as delinquent for the non-payment of taxes, costs and charges due for the year last aforesaid, and a true copy of said record transmitted to the office of the Auditor of State, in manner and form as prescribed by law, and legal publication made of the sale of said lands on the said ——— day of ———, 18—, and it appearing that the said A. B. is the legal owner of said certificate of purchase, and the time fixed by law for the redeeming the land therein described having now expired and none of the saving clauses of the ——— section of ——— applying to this tract or parcel of land, and neither the said G. H. nor any person in his behalf having paid or tendered the amount due the said A. B., on account of the aforesaid purchase and for taxes by him since paid, and the said A. B. having demanded a deed for the tract of land mentioned in said certificate, and which was the least quantity of the tracts above described that would sell for the amount due thereon for taxes, cost and charges as above specified, and it appearing from the records of said county auditor's office that the aforesaid lands were legally liable for taxation, and had been duly assessed and properly charged in the duplicate with taxes for the year,

Therefore, this indenture, made this ——— day of ——— 18—, between the State of Indiana by C. D, auditor of said county, of the first part, and the said A. D., of the second part, witnesseth: That the said party of the first part for and in consideration of the premises, has granted, bargained and sold unto the said party of the second part, his heirs and assigns, forever, the tract or parcel of land

mentioned in said certificate, and described as follows, namely: (here set out the particular tract or parcel sold,) to have and to hold the said last mentioned tract or parcel of land, with the appurtenances therewith belonging, to the said party of the second part, his heirs and assigns, forever, in as full and ample a manner as the said auditor of said county is empowered by law to sell the same.

In Testimony Whereof, the said C. D., auditor of said county of _____ has hereunto set his hand affixed the seal of the board of county commissioners the day and year last above written.

_____, *Auditor's seal.*

STATE OF INDIANA, _____ ss.

Before me, the undersigned, _____, in and for said county, this day personally came the above named C. D., auditor of said county, and acknowledged that he signed and sealed the foregoing deed for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and seal this _____ day of _____ 18—.

_____, L. S.

The report was concurred in, the amendments adopted and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 163, a bill to amend section four hundred and sixty-seven of "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, have had the same under advisement, and have instructed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. DeHart from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 162, entitled "a bill to provide for the execution of conveyances in the case of deceased venders of real estate," have examined the premises of the same, and direct me to report it back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. DeHart from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred instruction relative to Senate bill No. 162, respectfully report that section second of said bill contains the provision contemplated by said instruction, that is to say, the executor's or administrator's deed shall be approved by the court.

Which was concurred in.

BILLS INTRODUCED.

Mr. White introduced

Senate bill No. 193. A bill to amend section fifteen of an act entitled "an act to amend section fifteen, and to repeal sections twenty-seven to thirty-eight inclusive, of an act entitled 'an act to provide for the opening, vacating and change of highways,' approved June 17, 1852, so as to give boards of county commissioners jurisdiction as to the change, laying out and vacating of highways in their respective counties, saving and transferring all proceedings now pending before township trustees under said sections so repealed, to the board of county commissioners, and providing for the disposition thereof," approved March 5, 1859, and to legalize all roads located, vacated or changed under either of said acts,

Which was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Murray,

The rules were suspended, and

Mr. Murray offered the following resolution:

Resolved, That the rule upon the meeting and adjournment of the Senate be so changed as to require two sessions per day as formerly, to take effect from and after to-morrow at two o'clock.

The question being, shall the resolution be adopted?

The ayes and noes being demanded by Senators Murray and Carnahan,

Those who voted in the affirmative were,

Messrs. Blair, Campbell, Carnahan, Claypool, Conner, Dickinson, Grubb, Hamilton, Johnston, Jones, Landers, Lomax, March, Murray, Odell, Ray, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner and White—24.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Berry, Cobb, Conley, Craven, Cravens, Culver, DeHart, Line, O'Brien and Wilson—12.

So the resolution was adopted.

Mr. Stone introduced

Senate bill No. 194. A bill empowering the several boards of county commissioners of the several counties of this State to employ any competent persons to investigate the books, vouchers, accounts and settlements of the several county auditors and county treasurers of the State,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Carnahan introduced

Senate bill No. 195. A bill to secure the collection of rents in certain cases therein named, and to enable persons of small means to rent lands without giving personal or other security therefor,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wilson introduced

Senate bill No. 196. A bill to amend the fourth section of an act entitled "an act concerning interest on money," approved May 27, 1852,

Which was read a first time, and passed to a second reading on to-morrow.

Leave being granted,

Mr. DeHart from the Committee on Printing, made the following report:

MR. PRESIDENT:

The Committee on Printing, to whom was referred Senate bill No. 172, entitled "a bill providing for the binding of printed matter or-

dered by the Senate, to be done in book form," have considered of the same, and direct me to report it back and recommend its passage, with the following amendment:

Amend by inserting the following after the word "State," in the fourth line, second paragraph, "and at prices not exceeding those charged to private individuals for the same class of work."

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller introduced

Senate bill No. 197. A bill to exempt from taxation for corporation purposes of either town or city personal estate in the possession or under the control of guardians, in certain cases,

Which was read a first time, and passed to a second reading on to-morrow.

The President laid before the Senate an official abstract of the estimated population of the United States, Eighth Census, 1860,

Which,

On motion,

Was referred to a select joint committee, to be hereafter appointed.

Mr. March offered the following resolution:

Resolved, That a joint committee of eleven (one from each Congressional district), to be composed of five on the part of the Senate and six on the part of the House, be appointed to district the State for Congressional purposes, in accordance with the census returns of 1860, and the ratio of Representatives fixed by Congress; that the President of the Senate and Speaker of the House confer together before appointing said committee.

Which was agreed to.

Mr. Berry, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills, to whom was referred Senate Joint Resolution No. 12, a joint resolution proposing an amendment to the twenty-third section of article four of the Constitution, so as to provide for laws enabling cities, townships and towns to raise money for the support of common schools, hereby report the same back as

correctly enrolled, after due and careful examination of the original with enrolled copy of said joint resolution.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

Senate bill No. 86. A bill to amend the fourth, sixth and seventh sections of an act entitled "an act to amend an act to authorize and regulate the business of general banking," approved March 3, 1855,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Teegarden, Turner, White and Wilson—36.

Those who voted in the negative were,

Messrs. Lomax and Shoulders—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 119. A bill concerning the State, County, Township and Road Tax of the counties of Jasper and Newton,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, White and Wilson—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 55. A bill to provide for stationery and postage for members of the General Assembly of the State of Indiana; to provide for employing reporters and the publication of the proceedings of the Legislature in certain newspapers, and to provide for the taking of the same,

Was read a third time.

Mr. Beeson moved to recommit with the following instructions :

Amend by striking out "ten" where it occurs and insert "five."
Which was not agreed to.

Mr. March moved to recommit the bill with the following instructions :

Recommit with instructions to strike out "ten" and insert "five" where it refers to stationery.

Mr. Murray offered the following additional instructions :

Strike out "ten dollars for stamps" and insert "six."

Mr. Blair offered the following additional instructions :

Recommit with instructions to strike out all that relates to the publication of the proceedings of the Legislature and the taking of daily papers.

The question recurring on the motion to recommit the bill with the pending instructions,

It was agreed to.

Senate bill No. 8. A bill to amend the first section of an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof," approved March 5th, 1859,

Was read a third time.

Mr. Newcomb moved to recommit with the following instructions :

Amend by providing that license may be granted for the sale of

native wine and beer and cider for one-half the license now charged; and if, under such license, any other intoxicating liquors shall be sold by the party licensed, the license shall be forfeited.

Mr. Landers moved to lay the bill and pending instructions upon the table.

The ayes and noes being demanded by Senators Line and Conley,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Cobb, Conner, Craven, Culver, Dickinson, Grubb, Hamilton, Jones, Landers, March, Miller, Murray, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Teegarden, Turner and White—26.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Conley, Hull, Line, Lomax, Newcomb, O'Brien, Shoulders and Wilson—10.

So the bill and pending instructions were laid upon the table.

Senate bill No. 17. A bill allowing Prosecuting Attorneys a percentage on all moneys collected upon forfeited recognizances,

Was read a third time and,

On motion by Mr. March,

Laid upon the table.

Senate bill No. 25. A bill to authorize Justices of the Peace, Judges of Courts and Mayors of cities to administer oaths generally,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bears, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, White and Wilson—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Dickinson,
The title was amended to read as follows :

A bill authorizing Justices of the Peace, Notaries Public, Mayors of towns and cities and Clerks of Circuit and Common Pleas Courts to administer oaths generally, and County Auditors in certain cases, and to legalize such as may heretofore have been administered by any of said officers.

Senate bill No. 36. A bill to amend the forty-ninth section of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, White, and Wilson—35.

Those who voted in the negative were,

Messrs. Shields, Shoemaker and Shoulders—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 38. A bill authorizing county auditors to purchase justices' dockets, and to pay for the same out of the county treasury, and to provide for the safe keeping of the same,

Was read a third time,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Berry, Blair, Campbell, Carnahan, Cobb, Conley, Craven, Cravens, Culver, DeHart, Dickinson, Hamilton, Hull, Jones, Landers, Line, Miller, Murray, Odell, Ray, Robinson, Shields, Shoulders, Steele, Turner, and White—26.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Claypool, Conner, Grubb, Johnston, Lomax, March, Newcomb, O'Brien, Shoemaker, Stone, Teegarden, and Wilson—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 46. A bill to amend the fifty-seventh section of an act entitled "an act defining misdemeanors, and prescribing punishment therefor; approved June 14, 1852, and supplemental thereto, to prevent illegal voting, to prevent emigration or passing from any other to this State, or from one county or township in this State to another county or township therein, or from any ward in any incorporated city or town to any other ward therein for the purpose of fraudulent voting, prescribing penalties for aiding, or passing with intent to abetting or assisting in such immigration, procure fraudulent voting, and to prevent forged or fraudulent poll books, ballots, or returns, and prescribing punishment therefor, and to preserve the purity of elections,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Teegarden, Turner, White, and Wilson—38.

Those who voted in the negative were,

Messrs Craven and Lomax—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 48. A bill to provide compensation to owners of animals killed or injured by the cars, locomotives, or other carriages, of any railroad company in this State,

Was read a third time.

Mr. Hull moved to recommit the bill with the following instructions:

That the Committee on Corporations be so instructed to so amend the bill as to provide for a reciprocal responsibility in maintaining the fencing along the railroad, where the same may run through farms, and the same shall be built by the railroad company; and further, that the railroad company shall not be responsible for the killing of the stock on the railroad where public highways cross said railroad, and cannot be sufficiently fenced, and that where stock is killed or crippled by the carelessness of the owners of the stock, that the railroad company shall only pay one-half of the appraised value of said stock; but if stock shall be killed or crippled by the negligence of the operators, engineers or conductors, then the said railroad company shall be liable for the full value of said stock so killed. If said railroad company shall fail to pay the value of stock so killed or crippled in thirty days after the judgment is rendered and damages assessed, then they shall be liable for the full value of the stock so killed or crippled, and any property belonging to said railroad company, or the lessee or lessees, bondee or bondees, mortgagee or mortgagees, trustee or trustees, for whose benefit said railroad company may be operated, shall be liable as other property on execution.

Mr Conner moved to amend the instructions so as to strike out all that part that requires the owner of land adjoining railroads to aid in fencing the road or maintaining the fence.

Pending the consideration of the motion to recommit the bill and pending instructions,

On motion by Mr. Line,
The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
February 19, 1861. }

The Senate met.

On motion by Mr. Line,

The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS, REMONSTRANCES, &C.

Mr. Ferguson presented a petition from sundry citizens of Clark county, Indiana, asking for an appropriation for the erection of a monument over the grave of Jonathan Jennings, first Governor of the State of Indiana,

Which was referred to a select committee.

The President appointed Senators Ferguson, Slack and Newcomb said select committee.

Mr. Cobb presented a petition from the Treasurer of Lawrence county, Indiana, asking relief.

Which was referred to a select committee.

The President appointed Senators Cobb, Murray, Anthony, Claypool, Steele, Shoemaker and Craven said select committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Wagner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred House bill No. 1, "a bill defining certain felonies and misdemeanors and prescribing punishment therefor, and providing for certain evidence on the part of the State," have had the same under consideration and direct me to report said bill back to the Senate and recommend the following amendment:

Insert after the word *offences*, in the sixth line of the tenth section, "except so much and so far only as provides punishment for the same identical offence,"

And when so amended to recommend its passage.

The report was concurred in, and the amendment adopted.

Mr. Wagner moved to suspend the order of business and read the bill a third time now,

Which was agreed to, and

House bill No. 1 was read a third time.

Mr. Conner moved to amend the bill as follows:

Amend so as to insert the following in the proper place:

Provided, That nothing in this act shall be so construed as to pre-

vent County Treasurers or Sinking Fund Commissioners from depositing funds for safe keeping only, at the risk of such County Treasurers or Sinking Fund Commissioners so depositing.

Which was not agreed to.

Mr. Williams offered the following additional instructions :

To report what effect it will have upon the County Treasurers ; also to incorporate the amendment of the Senator from Wabash.

Mr. Williams moved to recommit the bill and pending instructions to the Committee on the Judiciary.

Mr. Wagner moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Wagner and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Line, March, Mellett, Miller, Odell, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner and White—29.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Jones, Landers, Lomax, Murray, Newcomb, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Williams and Wilson—17.

So the motion to recommit the bill and pending instructions was laid upon the table.

Mr. Tarkington moved the following amendment :

Insert in line seventeen, after the word "whatever," "contrary to law."

Also, insert after the word "corporation," in line twenty-three, "contrary to law."

Which was adopted by unanimous consent of the Senate.

The question then being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carna-
S. J.—33.

han, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Line, March, Mellett, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wilson—41.

Those who voted in the negative were,

Messrs. Landers, Lomax, Murray, Shields and Shoulders—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cobb, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 184, entitled "an act conferring jurisdiction upon Justices of the Peace in certain cases where executors, administrators or guardians are plaintiffs," have had the same under consideration and have instructed me to report the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. DeHart, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 110, a bill providing for the appointment of Notaries Public, defining their powers and duties, prescribing their fees, and repealing all former acts in relation thereto, have considered the same and direct me to report the same back and recommend that it lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Shields from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 33, "an act to punish employees in railroad companies for embezzling or stealing railroad tickets, coupons or moneys belonging to

such company, and prescribing the mode of punishment therefor," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that the same be laid on the table.

The report was concurred in, and the bill laid upon the table.

Mr. Beeson, Chairman of the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate bill No. 199, a bill to amend the sixth section of an act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any company which may have been incorporated in this State, for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders, in the same manner as it provides in said section for increasing capital stock, have had the same under consideration, and direct me to report it back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Committee on the Phraseology and Arrangement of Bills, made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Senate bill No. 157, a bill to amend the first, eleventh and twelfth sections of "an act to exempt property from sale in certain cases," approved February 17, 1852, recommend that all after the words "Section 1" down to the word "that," in lines twenty-one and twenty-three on page one be stricken out.

Also, all of lines one, two, three, four and five, down to the word "that," on page three. The words "section two" in line seven on page four be also stricken out; and also the words "and if he fails to do so the officer shall proceed to sell the same as other lands are sold on execution," in lines two, three four, and five on page seven.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Hull, from a select committee, made the following report:

The select committee, to whom was referred the petition of J. C. Kennedy, asking for a special law authorizing the admission of his wife, Nancy C. Kennedy, who is now in the Ohio Southern Insane Asylum, into the State Asylum for the Insane at Indianapolis, Indiana, have had the same under consideration, and have directed me to report, that in the opinion of the committee, the prayer of the petitioner should not be granted, for the reason that the present law is sufficient, as soon as the said Nancy C. Kennedy shall have gained a legal settlement in this State; therefore the committee report back the petition, and recommend that it lie on the table,

Which was concurred in.

Mr. Claypool, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 40, being an act for the protection of fish, and defining the penalties for the violations of this act, and the recovery of said penalties, have had the same under consideration, and have instructed me to report the same back, with the following amendments, and, when so amended, recommend its passage:

Amend section one, by adding the following to said section:

Provided, however, that nothing in this act shall be so construed as to prevent any person or persons from fishing with a seine between the first days of March and November.

And amend section three by adding thereto the following:

Provided, that nothing in this act contained shall prohibit or prevent the erection or maintenance of any dam across any river or creek in this State, for purposes of water power.

Said committee have further instructed me to report back the instructions referred with said bill, by way of amendments, and ask that they lay upon the table.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Anthony, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 159, a bill declaring that the several common pleas districts shall be known

and designated by their respective numbers, and providing what counties shall compose such districts by their appropriate numbers, have had the same under consideration, and direct me to report the bill back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. Turner introduced

Senate bill No. 198. A bill requiring county auditors to report to the sinking fund commissioners and superintendent of public instruction the amount of school fund on hand or received, and prescribing the penalty for the violation of this act,

Which was read a first time.

Mr. Turner moved to suspend the order of business, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, DeHart, Hamilton, Johnston, Jones, Landers, Lomax, March, Miller, Murray, Newcomb, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White and Williams—25.

Those who voted in the negative were,

Messrs. Beeson, Berry, Blair, Craven, Dickinson, Ferguson, Hull, Line, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders and Wilson—15.

So the rules were not suspended.

Mr. Cobb introduced

Senate bill No. 199. A bill to amend section one of an act entitled "an act supplemental to an act to exempt property from sale in certain cases," approved February 17, 1852, approved March 5, 1859, so as to include all kinds of personal property,

Which was read a first time and passed to a second reading on to-morrow.

Mr. Conner introduced

Senate bill No. 200. A bill to authorize the draining of swamp or wet lands, and providing for the assessment and payment of the damages occasioned thereby,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Craven introduced

Senate bill No. 201. A bill to prevent officers from taking illegal fees, affixing a penalty thereto, and requiring officers in certain cases to receipt for the fees on payment of the same,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Wilson introduced

Senate bill No. 202. A bill to amend the eighth section of an act regulating the fees of officers and repealing former acts in relation thereto, approved March 2, 1855,

Which was read a first time, and passed to a second reading on tomorrow.

On motion by Mr. Carnahan,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Blair introduced Senate bill No. 203. A bill to authorize the Governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the General Government to the same, and which are not in the possession of companies meeting regularly for drill, and to institute legal proceedings to recover the said arms and equipments, or the value thereof, and also to provide for the distribution of the public arms, and to repeal all laws in conflict therewith,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Landers introduced

Senate bill No. 204. A bill to amend the fifth section of "an act to provide a treasury system for the State of Indiana for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys,"

Which was read a first time, and passed to a second reading on tomorrow.

Mr. O'Brien introduced,

Senate bill No. 205. A bill to amend the 16th section of an act entitled "an act touching the relation of guardian and ward," approved June 19, 1852, and repealing sections seventeen and eighteen of said act,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. March introduced,

Senate bill No. 206. A bill to amend section ninety-nine of an act entitled an act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Stone introduced

Senate bill No. 207. An act amending section nine of "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Claypool introduced

Senate bill No. 208. A bill to amend sections three, five and nine of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855,

Which was read a first time.

Mr. Claypool moved to suspend the order of business, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Stone, Studabaker, Tarkington, White, and Williams—30.

Those who voted in the negative were,

Messrs. Bearss, Blair, Carnahan, Johnston, Lomax, Robinson, Shields, and Shoemaker—8.

So the order of business was not suspended, and the bill was passed to a second reading on to-morrow.

Mr. Claypool introduced

Senate bill No. 209. A bill to amend the twelfth section of an act regulating descents and the apportionment of estates, approved May 14, 1852,

Which was read a first time, and passed to a second reading on to-morrow.

By unanimous consent,

Mr. Miller introduced

Senate joint resolution No. 15. A joint resolution proposing an amendment to the eighth section of article eight of the Constitution, so as to make the superintendent of public instruction elective every four years,

Which was read.

The question being, shall the joint resolution be adopted?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Conley, DeHart, Ferguson, Line, March Miller, Newcomb, O'Brien, Odell, Steele, Stone, Teegarden, and Turner—20.

Those who voted in the negative were,

Messrs. Beeson, Cobb, Conner, Craven, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, Murray, Ray, Robin-

son, Shields, Shoemaker, Shoulders, Slack, Studabaker, Wagner, White, Williams, and Wolfe—24.

So the joint resolution was not adopted.

ORDERS OF THE DAY.

The Senate having resumed the consideration of

Senate bill No. 31. A bill to perfect the title of purchasers of railroads sold by foreclosure of mortgage, or other proceedings in law or equity, or pursuant to the provisions of mortgage or deed of trust, or by the joint exercise of those authorities, and to enable them to organize corporations, and to exercise corporate and other powers,

Which was pending at adjournment on Friday.

Mr. March moved the following additional instructions :

Add the following section :

SECTION —. This act may be amended or repealed at the discretion of the Legislature,

Which was adopted by unanimous consent.

Mr. Stone moved to recommit the bill with instructions to so amend section six as to include within its provisions the security of the amounts due persons for labor performed, and wood and other materials furnished the old company in running the road. Also, provide in the bill that the securities of present stockholders shall not be lessened by the passage of this bill.

Mr. Line moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Cobb and Stone,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Claypool, Conner, Cravens, Hamilton, Johnston, Line, Miller, Murray, Newcomb, Odell, Slack, Steele, Turner, and Wilson—17.

Those who voted in the negative were,

Messrs. Berry, Carnahan, Cobb, Conley, Craven, DeHart, Ferguson, Grubb, Hull, Jones, Landers, Lomax, March Mellett, Ray, Robinson, Shields, Shoulders, Stone, Tarkington, Williams, and Wolfe—22.

So the motion to lay upon the table, the mother to recommit did not prevail.

The question recurring upon the motion to recommit the bill, with the pending instructions.

Mr. Cobb moved the following additional instructions :

By striking out all after the word "inclusive" in line twenty-three till you come to the word "shall" in line twenty-four.

Mr. Hamilton moved to postpone the further consideration of the bill and pending instructions until to-morrow, at ten o'clock, A. M., and that they be made the special order for that hour.

Mr. Cobb moved to amend the motion by postponing indefinitely.

Mr. Studabaker moved to lay the bill and pending instructions upon the table,

Which was not agreed to.

Mr. Johnston moved to lay the amendment of Mr. Cobb upon the table,

Which was agreed to.

Mr. Craven moved to amend by postponing until Friday, at two o'clock P. M.

Which was not agreed to.

Mr. Craven moved to amend by postponing until the 6th of March.

Mr. Conner moved to lay the motion to amend on the table

The ayes and noes being demanded by Senators Craven and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Jones, Line, Lomax, March, Mellett Miller, Murray, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Turner, Wilson and Wolfe—29.

Those who voted in the negative were,

Messrs. Berry, Blair, Cobb, Craven, DeHart, Hull, Landers, Robinson, Shields, Shoemaker, Shoulders, Tarkington and Williams—13.

So the motion to lay the amendment upon the table prevailed.

Mr. Cobb moved to lay the motion to postpone until ten o'clock to-morrow upon the table.

The ayes and noes being demanded by Senators Cobb and Craven,

Those voting in the affirmative were,

Messrs. Anthony, Berry, Carnahan, Cobb, Craven, Grubb, Landers, Robinson, Shoulders, Stone, Tarkington and Williams—12.

Those who voted in the negative were,

Messrs. Beeson, Blair, Campbell, Claypool, Conley, Conner, Cravens, Dickinson, Ferguson, Hamilton, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shields, Steele, Studabaker, Turner, Wilson and Wolfe—28.

So the motion to lay upon the table did not prevail.

Mr. Line moved the previous question,
Which was seconded by the Senate.

The question being, shall the main question be now put?
It was agreed to.

The question being, shall the bill and pending instructions be postponed until to-morrow, at ten o'clock A. M., and be made the special order for that hour?

It was agreed to.

Leave being granted,

Mr. Mellet, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 131, an act to repeal an act entitled "an act to amend the one hundred and thirty-eighth section of an act entitled 'an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement,' approved June 17, 1852," approved March 7, 1857, and to assist in the settlement of the estates of decedents, have had the same under con-

sideration, and have directed me to report the same back, and recommend that the same be amended as follows:

Strike out from the enacting clause, and insert the following:

"That section one hundred and eighteen of an act entitled 'an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement,' approved June 7, 1852. And an act entitled 'an act to amend the one hundred and thirty-eighth section of the above entitled act,' and which was approved March 7, 1857, be, and the same, together with said section one hundred and thirty-eight, so amended, are hereby repealed.

"SEC. 2. That section seventy-six of the above entitled act, which reads as follows: Section 76. No order to sell such real estate shall be made until a notice of the time and place of hearing such petition shall have been given by three successive publications in a newspaper printed in the county, or if there be none printed therein, in a newspaper printed nearest thereto in this State, thirty days before the hearing of such petition, and by posting up written or printed notices thereof in three of the most public places in the township where such real estate is situate, be amended to read as follows: "No order to sell such real estate shall be made until a notice of the time and place of hearing such petition shall have been given by three successive publications in a newspaper printed in the county, or if there be none printed therein, in a newspaper nearest thereto in this State, thirty days before the hearing of such petition.

"SEC. 3. At the term of any court when final settlement of an estate is made, if there be any surplus for distribution, the court may, for cause shown, order notice to be given, thirty days before the ensuing term, for three weeks successively, in some newspaper printed in said county, if there be any, or by notices posted up in five public places in the county, that at the next term of said court, distribution of such surplus will be made according to law."

And when so amended, they recommend its passage.

The committee also recommend that the title be amended as to read as follows:

"An act to repeal section one hundred and eighteen, and to amend section seventy-six of an act entitled 'an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement,' approved June 7, 1852, and to repeal an act entitled 'an act to amend the one hundred and thirty-eighth section of the above entitled act, which was approved March 7, 1857,' and repealing said section so amended, and providing for the giving of notice to distributees in certain cases."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Mellett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee to whom was referred Senate bill No. 132, a bill to repeal sections one hundred and seventeen and one hundred and eighteen of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852, have had the same under consideration, and have directed me to report the same back, and recommend that it be laid on the table.

Which was concurred in.

Mr. Miller from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 106, being a bill to provide for settlements and compromises by partners and joint debtors with their creditors, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendment, and when so amended, to recommend its passage, to-wit:

Add to section four the following words: "Nor shall this act prejudice the rights of the several partners as between themselves, growing out of the contract of partnership or otherwise."

The report was concurred in, the amendment adopted and the bill ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Anthony
The Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
February 20, 1861. }

The Senate met.

On motion by Mr. Murray,
The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Williams presented a memorial from sundry citizens of Indiana on the state of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Slack presented a memorial from sundry citizens of Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Line presented a memorial from the Indiana State Historical Society,
Which was referred to a select committee.

The President appointed Senators Line, Newcomb and Hamilton said select committee.

Mr. Landers presented a memorial from sundry citizens of Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. Claypool, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred Senate bill No. 121, being "an act supplementary to an act to authorize and regulate the business of General Banking, passed 3d of March, 1855, authorizing the Auditor and Treasurer of State to surrender the securities and money deposited in certain cases," have had the same under con-

sideration, and have instructed me to report the same back to the Senate and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Dickinson, from the Committee on Temperance, made the following report :

MR. PRESIDENT :

The Committee on Temperance, to whom was referred Senate bill No. 20, a bill supplemental to an act entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof," approved March 5, 1859, "providing for appeals in the case of persons applying for license to sell intoxicating liquors and for those remonstrating against such applications under the provisions thereof, and to make a trial by jury in suits in relation thereto final," have had the same under consideration and report it back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Line, from a select committee, made the following report :

MR. PRESIDENT :

The select committee to whom was referred the memorial of Mr. Calvin Fletcher, Addison L. Roache and others, asking for an appropriation from the State Treasury to aid the Indiana Historical Society in the purchase of documents, manuscripts, &c., have had the same under consideration and have directed me to report the same back, with the following bill, and recommend its passage :

Senate bill No. 210. A bill to aid in the collection and preservation of historical materials relating to the early settlement of Indiana, contained in the foregoing report,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Ray, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill

No. 185, a bill entitled "an act to amend the eighth section of an act entitled 'an act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when the same shall take effect, and repealing all laws inconsistent therewith,'" approved March 5, 1859, have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. March introduced

Senate bill No. 211. A bill to amend the two hundred and thirty-eighth and two hundred and forty-first sections of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and to provide for the examination and taking the depositions of parties as witnesses in civil actions and proceedings,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Claypool introduced

Senate bill No. 212. A bill fixing the time of holding the Circuit Courts in the Sixteenth Judicial Circuit, and repealing all laws in conflict therewith,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. O'Brien introduced

Senate bill No. 213. A bill to legalize deeds of conveyance of real estate, and to debar married women from any rights or interest in such real estate in certain cases,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bearss introduced

Senate bill No. 214. A bill to amend section two of an act enti-

tled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof, and repealing sections twenty-nine and thirty-eight of said act, approved March 1, 1859,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Beeson introduced

Senate bill No. 215. A bill to repeal an act entitled "an act to provide for the erection of a new prison north of the National road, election of officers therefor, making appropriations, and for the regulation of the same," approved March 5, 1859,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Johnson introduced

Senate bill No. 216. A bill to amend the first and second section of an act in relation to special elections, approved May 13, 1852,

Which was read a first time, and passed to a second reading on tomorrow.

By unanimous consent,

Mr. Miller, from the Committee on Education made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate bill No. 66, a bill to provide for a general system of common schools, the officers thereof, and their respective powers, duties, and matters properly connected therewith, and to establish township libraries, and for the regulation thereof; and, Senate bill No. 10, a bill to amend the one hundred and second and one hundred and forty-ninth sections of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and to establish township libraries, and for the regulation thereof, approved March 5, 1855; and, Senate bill No. 63, a bill to change the time when township trustees shall apportion the public monies for school purposes, amongst the schools thereof, and to repeal all acts and statutes in conflict herewith; and, Senate bill No. 51, a bill to amend the ninety-fifth, ninety-seventh, ninety-eighth and one hundred and first sections of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective duties and matters

properly connected therewith, and to establish township libraries, and for the regulation thereof, approved March 5, 1855," and repealing all laws and parts of laws coming in conflict with this act; also, sundry resolutions of inquiry in relation to proposed amendments to said law; also, a petition from sundry citizens of Indiana, praying that the county treasurers be authorized to retain the distributive share to which each county will be entitled in the March settlement with the treasurer of State, have had these various bills, resolutions and petitions under consideration, and have directed me to report the same back to the Senate, with a recommendation that they lie upon the table. I am also directed to report the accompanying bill as a proper substitute for all propositions which have been presented by the Committee:

Senate bill No. 217. A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and equalization of township libraries."

Mr. Miller moved to suspend the order of business and read the bill a first time by its title,

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Shoulders, Slack, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—41.

Those who voted in the negative were,

Messrs. Beeson, Craven, Johnson, and Shields—4.

So the order of business was suspended and the bill read a first time by its title.

The order of business being suspended,

On motion by Mr. Miller,

The bill was read a second time by its title.

Mr. Miller moved to lay the bill upon the table, and print three hundred copies, two hundred for the use of the House, and one hundred for the use of the Senate,

Which was agreed to.

On motion by Mr. Murray,

Mr. Dickinson was granted leave of absence until Tuesday next at 9 o'clock, A. M.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of Senate bill No. 31, a bill to perfect the title of purchasers of railroads sold by foreclosure of mortgage, or other proceedings in law or equity, or pursuant to the provisions of mortgage or deed of trust, or by the joint exercise of those authorities, and to enable them to organize corporations, and to exercise corporate and other powers,

Which had been made the special order for the day at 10 o'clock, A. M.

Mr. Conner moved to recommit the bill with the following instructions:

Recommit the bill to a select committee of three with the view of so modifying the bill as to obviate some of the objections that have been urged, if the committee find it practicable to do so, consistent with the objects of the bill.

The question recurring upon recommitting the bill with the pending instructions,

It was agreed to.

The President appointed Senators Conner, Newcomb and Hamilton said select committee.

Mr. Wagner moved to pass informally over the order of business, and take from the files House bill No. 104.

The ayes and noes being demanded by Senators Murray and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Newcomb, O'Brien, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White and Wilson—30.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Johnston, Jones, Landers, Lo-

max, Murray, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Williams and Wolfe—17.

So the order of business was suspended, and

House bill No. 104. A bill to provide for a deficiency in the State Treasury by a loan of seventy-five thousand dollars from the Commissioners of the sinking fund to meet the current expenses of the State, and to provide for the security and re-payment of the same, Was taken from the files.

Mr. Murray moved to recommit the bill with the following instructions:

And that said commissioners shall notify the treasurers of the respective counties, the amount of said sinking fund belonging to their counties, thus borrowed for the use of the State, with instructions to retain said amount out of any revenue belonging to the State now or hereafter paid into their county treasury.

Mr. Wagner moved to lay the motion to recommit with instructions upon the table.

The ayes and noes being demanded by Senators Wagner and Steele,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Newcomb, Steele, Stone, Teegarden, Turner, Wagner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, Murray, O'Brien, Odell, Ray, Robinson, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—22.

So the motion to lay the motion to recommit with instructions upon the table prevailed.

The question recurring upon the passage of the bill,

Mr. Steele demanded the previous question.

Mr. Slack moved a call of the Senate.

The question being, shall a call of the Senate be ordered?

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnsson, Jones, Landers, Line, Lomax, Murray, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—22.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—26.

So the call of the Senate was not ordered.

Mr. Cobb moved that the Senate do now adjourn.

The ayes and noes being demanded by Senators, Cobb, Slack, Jones, Ray and Shields,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Jones, Landers, Lomax, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—18.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—30.

So the motion to adjourn did not prevail.

Mr. Cobb moved a call of the Senate.

The President decided the previous question to be in order, and a call of the Senate out of order.

Mr. Slack appealed from the decision of the Chair.

Mr. Blair moved to lay the appeal upon the table.

The ayes and noes being demanded by Senators Slack and Blair,

Those who voted in the affirmative were,

Messrs. Anthony, Bears, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—31.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Johnson, Landers, Lomax, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—16.

So the decision of the Chair was sustained, and the appeal laid upon the table.

The question being, shall the previous question be sustained?
It was agreed to.

The question being, shall the main question be now put?
It was agreed to.

The question then being, Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Newcomb, Steele, Stone, Teegarden, Turner, Wagner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, Murray, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—23.

So the bill did not pass, not having a constitutional majority voting for its passage.

Mr. Tarkington moved to recommit to a Select Committee of three with instructions to so amend as to borrow the funds of the Bank of the State.

Mr. Wagner moved to lay the motion to recommit upon the table.

The ayes and noes having been demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—21.

So the motion to recommit was laid upon the table.

Mr. Wagner moved to place the bill upon the files for a third reading.

Mr. Tarkington moved to lay the motion on the table.

The ayes and noes having been demanded by Senators Cobb and Tarkington,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—19.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

So the motion to lay upon the table did not prevail.

Mr. Tarkington moved to recommit to a Select Committee of three with instructions that the bill be so amended that the \$303,921 68 due the common school fund be added to the bill.

Mr. Robinson moved to lay the motion on the table.

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

So the motion to recommit was laid upon the table.

Mr. Craven moved that the vote upon the passage of House bill No. 104, the same having failed for want of a Constitutional majority, be again taken,

Which was agreed to.

Mr. Wolfe moved, that the Senate do now adjourn.

The ayes and noes being demanded by five Senators,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Line, Lomax, Murray, Ray, Shoemaker, Slack, Studabaker, Williams, and Wilson—14.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—27.

So the motion to adjourn, did not prevail.

Mr. Craven demanded the previous question,

Which was seconded by the Senate.

The question then being, shall the main question be now put?
It was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Johnston, Line, Lomax, O'Brien, Odell, Ray, Shields, Studabaker, Williams, and Wilson—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Johnston moved to amend the title so as to read as follows :

A bill for the purpose of stealing the school funds.

The ayes and noes being demanded by Senators Cobb and Conley,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Johnston, Lomax, Shoulders, Studabaker, Williams, and Wilson—9.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—30.

So the motion to amend the bill did not prevail.

On motion by Mr. Claypool,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate the following communication from the Attorney General of Indiana:

To the President of the Senate:

SIR: In obedience to the resolution of the Senate relating to the Calumet feeder dam, I have investigated the matter as thoroughly as I could without visiting the place where the evils complained of exist.

The dam is within the State of Illinois. It was erected, and up to this time, has been maintained, by officers acting in obedience to the laws of Illinois. I can find no act or resolution of the Legislature of Indiana authorizing or sanctioning its erection. Illinois could not confer the right to obstruct the Calumet river so as to overflow lands in Indiana; and the rights of the State of Indiana and her citizens are the same as they would have been had the dam been erected without any authority whatever.

In 1857 the Legislature of Indiana passed an act which was intended to authorize the State of Illinois to maintain the dam for five years upon certain conditions, which, I am informed, were never in any respect complied with, on the part of Illinois.

In 1859 the act of 1857 was repealed. I suppose that by the combined or concurrent action of the Legislatures of the two States, the property of a citizen of Indiana could not be appropriated without his consent to the use of the State of Illinois, for a public work, no part of which is in Indiana. It is not necessary, however, to discuss this question, for the attempt to do it failed for the reason before stated.

One remedy for the evils complained of is the construction of a ditch from a point in Indiana above the dam across the bend of the river to a point below it. This would drain the reservoir, but it would divert the water from all that part of the river which is within the State of Illinois, and might result in injuries to Illinois and her citizens, and place Indiana as much in the wrong as Illinois now is.

A bill in chancery for the purpose of abating the dam, or reducing its height, could be sustained in Illinois, either in a State court, or a court of the United States.

If Indiana is injured in her political capacity, or in her property, suit may be brought in her name against Illinois, or her officers, or

both; and probably in such case the circumstances would enable the State of Indiana and her citizens to join as plaintiffs if Illinois should not be made a defendant. No citizen of Indiana can sue the State of Illinois in a court of the United States, nor in a State court, unless authority is given by Statute to sue in the latter. But every citizen of this State who is injured, may sue the officers and agents of Illinois who are charged with the maintenance of the dam. A suit properly instituted and prosecuted would unquestionably result in securing the proper relief. I am informed that the dam in question renders almost valueless about thirty thousand acres of land, which, but for the dam, could be brought into cultivation, and would be worth at least half a million of dollars; and that among these lands are a section and a large fractional section of school lands not yet sold.

If the reservoir were deep and confined within abrupt banks, it would not materially affect the health of the neighborhood; but spreading as it does, over large tracts, which are frequently submerged, and then exposed, it must inevitably affect injuriously the health of a large district around it, and thus seriously injure a large number of citizens whose lands are not overflowed.

I am informed also that the flooding of the lands along the margin of the Calumet adds greatly to the cost of maintaining roads and bridges, and indeed renders it impossible with ordinary means to make reasonably good roads from the south side of the river towards Chicago. This is a serious inconvenience to a large number of the citizens of Indiana, whose trade naturally tends to that point.

All these injuries and inconveniences have been produced by the authority of the State of Illinois. in the aggregate they are of such magnitude as to demand the prompt interference of Indiana in behalf of her citizens. The injury to any one individual is too small to justify his engaging in a controversy with a great State within its own jurisdiction, and with the prospect of its costing him more, even if successful, than the amount of the injury to be redressed, and those who have experience in such matters know that from poverty, selfishness, timidity, or some other cause, much the larger portion of the individuals concerned cannot be induced to contribute to a common fund for the purpose of prosecuting a suit. In the proposed suit, whoever may be the defendant on record, Illinois will be the real party in interest and her treasury will bear the expense; and whether Indiana should be a party to the record or not, it is respectfully suggested that it should be understood that she stands by her citizens in their efforts to redress injuries inflicted by authority of another State.

Respectfully submitted,

JAMES G. JONES, *Att'y Gen'l.*

On motion by Mr. Turner,

The communication was laid upon the table, and two hundred copies thereof were ordered to be printed for the use of the Senate.

By unanimous consent,
Mr. Line offered the following resolution:

Resolved, That that the Committee on Finance be, and they are hereby required to inquire whether any legislation is necessary to carry more fully into effect the provisions of the law approved March 5, 1859, in an act entitled "an act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries.

Which was agreed to.

ORDERS OF THE DAY.

The Senate having resumed the consideration of Senate bill No. 48, a bill to provide compensation to owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in this State, with the instructions which were pending at adjournment on Monday,

The question then being upon the motion to recommit the bill with the pending instructions,

Mr. Cobb moved to lay the motion to recommit with instructions upon the table,
Which was agreed to.

Mr. Johnston moved to recommit with the following instructions:

Amend by striking out "two-thirds" and insert "one-half."

Which was not agreed to.

Mr. March moved to recommit with the following instructions by adding to the end of the eighteenth section the following:

Actions brought under the provisions of this act shall be governed by the same rules as to jurisdiction and the taxation of costs so far as relates to the amount in controversy, as govern in other civil actions.

Mr. Beeson offered the following additional instructions:

Recommit with instructions to amend by inserting in its proper place, Provided said stock so killed were on or adjacent to the land or domicile, or in the care of the owner of said stock at the time of such killing.

Mr. Craven moved to lay the instructions upon the table.
Which was not agreed to.

On motion,

The bill and pending instructions were recommitted to the Committee on Corporations.

Mr. Murray presented the following protest,

Which was ordered to be spread upon the Journal of the Senate.

In protesting against the passage of the House bill providing for borrowing seventy-five thousand dollars out of the school fund in the hands of the sinking fund commissioners for the purpose of paying the current expenses of the Legislature and other debts of the State, the undersigned would give a few of the reasons for protesting against the passage of the bill,

First. This sinking fund, principal and interest, was set apart for the education of the children of the State. After the expiration of the charter of the old State Bank, the Legislature passed an act authorizing the safety fund commissioners to distribute this fund among the several counties of this State, the principal to be loaned out in small sums upon good mortgaged security, and the interest to be divided among the several townships for educational purposes. The undersigned protests against the passage of this loan bill as violative of this act.

Second. Various amounts from time to time have been abstracted by the State from this fund under similar pretexts, and not one dollar either of principal or interest has ever been repaid. The undersigned protests against this bill as likely to result in a like loss to the fund.

Third. The State, as a mere custodian or trustee of this fund, has no right, morally or legally, to appropriate it to its own use. If squandered, there is no power of redress, no bondholder to say, "Pay me what thou owest," and enforce by legal remedies against the State the obligation which she assumes. In behalf of a portion of the defenceless children of the State, the undersigned protests against the passage of the bill for this reason.

Fourth. As it is well known this Legislature must provide for a deficiency in the receipts of the State to meet the current liabilities of former administrations to the amount of a million of dollars, which, added to the heavy and increasing public debt, puts it beyond the power to provide out of the public revenues (at an ordinary levy which is proposed to be laid upon the taxable property of the State for the coming two years, for the repayment of this loan from the school funds,) the provision in the bill requiring it to be paid back in ninety days, cannot be complied with. The undersigned protests against it for this reason.

Fifth. There is no necessity of borrowing this amount, or any other amount, from the school funds, as the Bank of the State stood

ready to loan to the State the required amount. Also, there are plenty of funds in the several county treasuries belonging to the State, amply sufficient to meet all present liabilities, awaiting the requisition of the State Treasurer, and upon a simple demand of that officer, would have been forwarded. For this reason, also, the undersigned protests against the passage of the bill.

The undersigned further protests against its passage, because a proposition offered by himself, providing for the repayment of this sum to the school funds, by making it the duty of the county treasurer upon the proper information of the fund commissioners to retain their proportionate share so borrowed out of the State revenue in their hands, was voted down by the Senate, establishing the fact beyond controversy, that the friends of the bill did not intend the amount to be abstracted, to be repaid out of the revenues of the current year. He cannot but view the system now inaugurated, as jeopardizing the whole school funds, and consequently the educational interests of the State.

Respectfully submitted,

C. L. MURRAY.

Mr. Slack moved that Mr. Cobb be allowed to record his vote upon the passage of House bill No. 104.

Mr. Line moved to lay the motion upon the table.

The ayes and noes being demanded by Senators Slack and Landers,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, DeHart, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—26.

Those who voted in the negative were,

Messrs. Culver, Johnston, Jones, Landers, Lomax, Murray, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, and Williams—15.

So the motion was laid upon the table.

Mr. Cobb moved that Mr. Slack be permitted to record his vote on the passage of House bill No. 104.

Mr. Wagner moved to lay the motion on the table.

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—27.

Those who voted in the negative were,

Messrs. Cobb, Johnston, Jones, Landers, Lomax, Murray, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, and Wilson—16.

So the motion was laid upon the table.

By unanimous consent,

Mr. Shields was permitted to record his vote upon the passage of House bill No. 104.

On motion by Mr. Wagner,

The Senate took up bills on their second reading.

BILLS ON SECOND READING.

House bill No. 190. A bill to provide for the expenses of the present session of the Legislature,
Was read a second time.

Mr. Wagner moved to suspend the order of business and read the bill a third time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellet, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoulders, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams and Wolfe—36.

Those who voted in the negative were,

Messrs. Slack and Studabaker—2.

House bill No. 190 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Cülver, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellet, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner and Williams—38.

Those who voted in the negative were,

Messrs. Slack and Wolfe—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 186. A bill to amend section sixth of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the treasurer and auditor of State," approved June 21, 1852, Was read a second time.

Mr. Turner moved to amend the bill as follows:

Amend by inserting in the proper place, "all parsonages owned by religious societies."

Mr. Claypool offered the following additional amendment:

Provided that the poor house and lands in which the same is situated, are in the county in which it is owned.

On motion by Mr. Line,

The bill and pending amendments were referred to the Committee on Finance.

Senate bill No. 187. A bill to repeal an act entitled "an act providing for extending the terms of circuit courts by adjournment when the pending business shall be unfinished," approved February 12,

1855, to authorize the court or judge to call and hold special terms, and to provide for the compensation of the judges for holding such adjourned and special terms, and of prosecuting attorneys while in attendance upon the same, approved —, 1858,

Was read a second time and referred to the Committee on the Judiciary.

Senate bill No. 188. A bill to amend section five of an act entitled "an act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852, and supplemental thereto, conferring upon notaries public all the powers conferred upon justices of the peace in civil cases,

Was read a second time and referred to the Committee on the Organization of Courts.

Senate bill No. 189. A bill to repeal all laws now in force making appropriations in aid of colonizing negroes and mulattoes of this and other States,

Was read a second time and referred to the Committee on the Judiciary.

Senate bill No. 190. A bill to amend the first section of an act entitled "an act concerning interest on money," approved May 27, 1852,

Was read a second time and referred to the Committee on Finance.

Senate bill No. 191. A bill to create the sixth judicial circuit for the State of Indiana,

Was read a second time and referred to the Committee on Organization of Courts.

Senate bill No. 192. A bill to provide for the change of the width of State roads.

Was read a second time and referred to the Committee on Roads.

Senate bill No. 193. A bill to amend section fifteen of an act entitled "an act to amend section fifteen, and to repeal sections twenty-seven to thirty-eight inclusive, of an act entitled 'an act to provide for the opening, vacating and change of highways,' approved June 17, 1852, so as to give boards of county commissioners jurisdiction as to the change, laying out and vacating highways in their respective counties, saving and transferring all proceedings now pending before township trustees, under said sections so repealed, to the board of county commissioners, and providing for the disposition thereof," approved March 5, 1859, and to legalize all roads located, vacated or changed under either of said acts,

Was read a second time, and referred to the Committee on Roads.

Senate bill No. 194. A bill empowering the several boards of county commissioners of the several counties of this State to employ any competent person or persons to investigate the books, vouchers, accounts and settlements of the several county auditors and county treasurers of the State,

Was read a second time and referred to the Committee on County and Township Business.

Senate bill No. 195. A bill to secure the collection of rents in certain cases therein named, and to enable persons of small means to rent lands without giving personal or other security therefor,

Was read a second time and referred to the Committee on Agriculture.

Mr. Claypool moved the following instructions to Senate bill No. 195:

That attorneys may have a lien on all papers left with them, and all judgments obtained by them, for any person or corporation for their fees.

Mr. Wagner moved to lay the instructions upon the table,
Which was agreed to.

Mr. Line moved to suspend the order of business and take up Senate bill No. 210.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Berry, Blair, Campbell, Claypool, Conner, Culver, Grubb, Hamilton, Hull, Jones, Line, March, Mellett, Miller, Newcomb, Odell, Ray, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, and Wolfe—27.

Those who voted in the negative were,

Messrs. Beeson, Cobb, Craven, Johnston, Landers, Lomax, Murray, Shields, Shoemaker, Shoulders, Slack, and Studabaker—12.

So the motion to suspend the order of business did not prevail.

Senate bill No. 196. A bill to amend the fourth section of an act entitled "an act concerning interest on money, approved May 27, 1852,"

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 197. A bill to exempt from taxation for corporation purposes of either town or city personal estate in the possession or under the control of guardian in certain cases,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 198. "A bill requiring county auditors to report to the sinking fund commissioners and superintendent of public instruction the amount of school fund on hand or received, and prescribing the penalty for the violation of this act,"

Was read a second time, and referred to the Committee on Education.

Senate bill No. 199. A bill to amend section one of an act entitled "An act supplemental to an act to exempt property from sale in certain cases," approved March 5, 1859, so as to include all kinds of personal property,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 200. A bill to authorize the draining of swamp or wet lands, and providing for the assessment and payment of the damages occasioned thereby,

Was read a second time, and referred to the Committee on Agriculture.

By unanimous consent,

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 90, "A bill defining the meaning of the words 'final judgment,' as used in section 550 of the practice act," have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments, and when so amended to recommend its passage:

Amend the first section by inserting in the 7th line after the word "affirming" the words "or reversing;" and by adding to the first section the following words:

Provided, that in cases of a reversal of the judgment of which a review is sought, the appeal shall not be taken until the final action of the court in the case.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 201. A bill to prevent officers from taking illegal fees, affixing a penalty thereto, and requiring officers in certain cases to receipt for the fees on payment of the same,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 202. "A bill to amend the eighth section of an act entitled 'an act regulating the pay of officers, and repealing former acts in relation thereto,' approved March 2, 1855,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 203. "A bill to authorize the governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the general government to the same, and which are not in the possession of companies meeting regularly for drill, and to institute legal proceedings to recover the said arms and equipments, or the value thereof; and also to provide for the distribution of the public arms, and to repeal all laws in conflict therewith,"

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 204. A bill to amend the fifth section of an act to provide a treasury system for the State of Indiana, for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe-keeping of public moneys.

Was read a second time, and referred to the Committee on Judiciary.

Senate bill No. 205. A bill to amend the sixteenth section of an act entitled "An act touching the relation of guardian and ward, approved June 9, 1852," and repealing sections seventeen and eighteen of said act,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 206. A bill to amend the ninety-ninth section of an act entitled "An act to revise, simplify, and abridge the rules of practice, pleadings, and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 207. An act amending section nine of "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855,

Was read a second time.

Mr. March offered the following instructions:

The committee be instructed to inquire into the expediency of so reducing the per cent. for collecting revenue, or to equalize the salaries of the treasurers of the various counties in this State.

On motion,

The bill and pending instructions were referred to the Committee on Finance.

Senate bill No. 208. A bill to amend section three, five and nine of an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 209. A bill to amend the twelfth section of an act regulating descents and the apportionment of estates, approved May 14, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

On motion by Mr. March,

Mr. Stone was granted leave of absence until Monday next at 9 o'clock, A. M.

On motion by Mr. Wagner,

The order of business was suspended, and

Mr. Wagner introduced

Senate bill No. 218. A bill to amend the first section of an act entitled "an act to enable trustees to receive lands and donations, and convey the same for the use of schools, churches, religious societies, Masonic and Odd Fellows Lodges, Sons and Daughters of Temperance, and for the construction of cemeteries, houses of worship, and other buildings therein named," approved June 17, 1852,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Tarkington introduced

Senate bill No. 219. An act to amend the second section of an act entitled an act to amend the two hundred and seventh and two hundred and eighth sections of "an act entitled an act to revise, simplify, and abridge the rules of practice, pleadings, and forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, which amendatory act was approved March 5, 1859, so as to authorize a change of venue in certain cases from the county, and prescribing the mode in which the same shall be granted,

Which was read a first time, and passed to a second reading on tomorrow.

Leave being granted,

Mr. Bearss presented a petition from sundry citizens of Franklin township, Kosciusko county, Indiana, asking that sundry sections in that township and county be attached to Fulton county,

Which was referred to a select committee of three. The President appointed Senators Bearss, Mellett and Conner, said select committee.

A message from the House, by Mr. Wilson, an assistant clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of Senate for their signatures, enrolled House bill No. 104: A bill to provide for the deficiency in the treasury by a loan of seventy-five thousand dollars from the Commissioners of the Sinking Fund, and for the security and repayment of the same.

The President and Secretary signed the bill.

MR. PRESIDENT:

am directed by the House of Representatives to report enrolled se bill No. 119, for the signatures of the President and Secretary of the Senate. House bill No. 119. An act concerning the

State, county, township, and road tax of the counties of Jasper and Newton.

The President and Secretary signed the bill.

On motion by Mr. Slack,

The Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
February 21, 1861. }

The Senate met.

The Journal of the preceding day was read.

Mr. Slack moved to correct the Journal so as to make it show "that pending the vote upon the passage of House bill No. 104, Mr. Cobb moved a call of the Senate, which motion the President decided to be out of order," and that a motion for an appeal from that decision was also decided out of order.

Mr. Newcomb moved to lay the motion to correct the Journal upon the table.

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Teegarden, Turner, Wagner, and White—23.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—22.

So the motion to amend the Journal was laid upon the table.

By unanimous consent.

Mr. Line offered the following resolution :

Resolved, That the Assistant Secretary be required to make a full and complete record of all motions, resolutions, rulings of the chair, and all other matters that are transacted in the Senate while in session.

Mr. Newcomb moved to refer the resolution to the Committee on Rights and Privileges.

Mr. Murray demanded the previous question, which was not seconded by the Senate.

Mr. Mellet raised a point of order, "That the resolution proposed to change the rules of the Senate, and should lie over under the rule," Which was sustained by the chair, and the resolution was laid over under the rule for one day.

Mr. Claypool moved that the Journal be approved.

Mr. Wagner demanded the previous question, which was not sustained, there being but twenty-four Senators voting to sustain the demand.

Mr. Slack moved to amend the motion to approve the Journal, by correcting the Journal so as to show that pending the vote on the passage of House bill No. 104, "Mr. Slack moved that the Senate now adjourn," which was decided out of order by the chair.

Mr. Williams moved to refer the matter of correcting the Journal to a Select Committee.

Mr. Wagner moved to lay all pending motions upon the table.

Mr. Slack moved to lay the motion of Mr. Wagner upon the table.

The President having decided the motion of Mr. Slack to be out of order,

The question recurring upon the motion of Mr. Wagner, "to lay all pending motions upon the table,"

The ayes and noes being demanded by Senators Slack and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Teegarden, Turner, Wagner, White, and Wolfe—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, and Wilson—21.

So the motion to lay all pending motions upon the table prevailed.

SPECIAL ORDERS.

The hour having arrived, the Senate proceeded to consider the report of the minority of the Committee on Federal Relations, made the special order for to-day, at 10 o'clock, A. M.

Mr. Wagner moved to postpone the further consideration of the report until Saturday, at 10 o'clock, A. M.,
Which was agreed to.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Wagner presented a petition from Alexander Hazeland, asking the enactment of a law for the protection of sheep from dogs,
Which was referred to the Committee on Agriculture.

REPORTS FROM STANDING COMMITTEES.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate bill No. 179, being a bill to authorize master commissioners of the Circuit and Common Pleas Courts in this State to issue writs of *habeas corpus*, and to try cases arising under such writs, and to award injunctions, and restraining orders and writs of *ne exeat*, and providing for their compensation for said services, have had the same under consideration, and have directed me to report that, in the opinion of the Committee, it is inexpedient to confer upon master commissioners powers of such magnitude as contemplated by the bill, believing that the tendency of such litigation would be to pervert the ends of

justice, in many cases, and to recommend that said bill lie upon the table.

The report was concurred in, and the bill laid upon the table.

Mr. Slack, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 104, a bill to amend an act entitled an act to amend the first section of an act concerning real property and the alienation thereof, approved May 6, 1852, approved March 2, 1859, and to legalize conveyances made by Indians, negroes and mulattoes, have had the same under consideration, and requested me to report the same back with the following amendments:

On the second page and seventeenth line, after the word "mulatto," insert the words, *or other mixed blood*.

On the second page and first line of second section, after the word "all," insert the words *bona fide*.

At the end of the second section, add the following *proviso*:

Provided, that nothing herein contained shall affect any suit or proceeding now pending in any of the courts of this State, upon the adoption of which amendments, the committee recommends the passage of the bill.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 170, entitled "a bill to amend the first, second, third, and fourth sections of an act entitled an act for the protection of the Trust and other *Funds* of this State, and to provide for the substitution of mortgages, and prescribing the punishment of officers who loan a greater amount of funds than is authorized by law, approved March 2, 1855, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Conner, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The committee, to whom was referred Senate bill No. 187, being a bill to repeal an act entitled an act providing for extending the terms of the Circuit Courts by adjournment, when the pending business shall be unfinished, approved February 12, 1855, to authorize the court or judge to call and hold special terms, and to provide for the compensation of the judges for holding such adjourned and special terms, and of prosecuting attorneys, while in attendance upon the same, approved December 24, 1858, having had the same under consideration, have directed me to report the accompanying amendments, and when so amended, recommend its passage:

Amend as follows: After section one insert—

SECTION 2. All orders, judgments, and decrees pronounced by any such circuit judge, at any special or adjourned term, are hereby legalized.

Change the number of section 2 to section No. 3.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Slack, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 178, a bill to amend the second section of an act entitled an act to establish Courts of Conciliation, to prescribe rules and proceedings therein and compensation of judges thereof," approved June 11, 1852, have had the same under consideration, and requested me to report the same back, and recommend its passage without amendment.

Mr. Hull moved to concur in the report, with the following amendment: "Insert in the proper place, justices of the peace."

Mr. Miller moved to indefinitely postpone the bill,
Which was temporarily withdrawn.

Mr. DeHart offered the following amendment:

Amend by inserting in the proper place, that the costs shall abide the event of the suit without reference to the actions of said Courts of Conciliation.

Mr. Murray renewed the motion to indefinitely postpone.

Mr. Wolfe demanded a division of the question.

The chair decided, at this stage, that the question was not susceptible of a division, from the fact that the indefinite postponement of the bill carried the instructions therewith.

The question recurring upon indefinitely postponing the bill and pending instructions,

The ayes and noes having been demanded by Senators Wagner and Murray,

Those voting in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blain, Campbell, Carnahan, Conley, Conner, Culver, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Miller, Murray, Newcomb, O'Brien, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, and White—29.

Those who voted in the negative were,

Messrs. Claypool, Cobb, DeHart, Lomax, Odell, Ray, Shoemaker, Shoulders, Slack, Studabaker, Williams, Wilson, and Wolfe—13.

So the bill and pending amendments were indefinitely postponed.

On motion by Mr. White,

Mr. Murray was granted leave of absence until Monday next, at 2 o'clock P. M.

On motion by Mr. Slack,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Wolfe, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 102, a bill to amend sections twenty-one and twenty-two of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852, so as to define adultery, fornication, and public indecency, and to provide punishment therefor, have had the same under consideration, and have directed me to make the following report:

Amend the first section by striking out the amending clause, and inserting the following:

SECTION 21. Every person who shall openly and notoriously live together with another person for the purpose of carnal intercourse, or so living together, shall have carnal intercourse, such persons not being husband and wife, and either of whom being a married person, or any person either married or unmarried, who shall have carnal intercourse with a married person, such person not being husband and wife, shall be deemed guilty of adultery; and every person who shall openly and notoriously live together for the purpose of carnal intercourse, or so living together shall have carnal intercourse, such persons not being husband and wife, and neither of whom being a married person, shall be deemed guilty of fornication; and every person guilty of adultery, upon conviction, shall be fined in any sum not less than fifty nor more than one thousand dollars, to which shall be added imprisonment in the county jail for any term not exceeding six months; and every person guilty of fornication, upon conviction, shall be fined in any sum not less than five nor more than one hundred dollars; and in all prosecutions for either of said offenses the person with whom the offense is charged to have been committed, shall be compelled to testify against the person charged, but such testimony shall not be used against the person so testifying in any penal prosecution or civil actions: *Provided*, that in every such prosecution under this act, the accused shall not be convicted unless the testimony of such person with whom such offense is charged to have been committed, shall be corroborated by other testimony.

Amend section two as follows: After the words "~~to-wit~~" in fourth line, the section of the old law to be amended as follows:

SECTION 2. Every person who shall be guilty of notorious lewdness, or other public indecency, upon conviction, shall be fined not exceeding one hundred dollars, and imprisoned not exceeding three months, be amended to read as follows, "to-wit."

Also, further amend said section two by adding after the word "person," in the third line of the amended section twenty-two, the following "of himself, or herself, or of any other person."

And when so amended, said committee recommend the passage of said bill.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 209, a bill to amend the twelfth section of an act regulating descents and the apportionment of estates, approved May 14, 1852, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 206, and a bill to amend the ninety-ninth section of the practice act of 1852, and have had the same under consideration, and directed me to report the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Newcomb, from the Committee on the judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 45, and pending amendments entitled "an act to amend section three of an act entitled an act to provide for the election of a reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 5, 1852, have had the same under consideration, and have directed me to report the same back to the Senate, with the amendment hereinafter specified and recommend its passage:

Amend the title by adding the following :

And also to amend section one of an act entitled an act to amend the fifth and sixth sections of an act entitled "an act to provide for the election of a reporter and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 28, 1855.

Amend further by adding the following section :

SECTION 2. *Be it further enacted*, That section one of an act entitled an act to amend the fifth and sixth sections of an act entitled "an act to provide for the election of a reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 28, 1855,

Which reads as follows:

SECTION 1. Whenever such printed report shall, without dividing the decisions, made at any one term make not less than six hundred pages, the reporters shall add an index thereto, and cause the same to be bound in good law binding, into a volume, to be styled "Indiana Reports," and shall forthwith deliver to the Secretary of State, for the use of the State, five hundred volumes thereof; and the Secretary of State shall cause the same to be distributed and disposed of as follows, to wit: Three copies to the Clerk's office of the Circuit Court of each county within this State, two copies of which shall be for the use of the courts of such county, and the other copy for the use of the county library thereof, and one copy for each college in this State, and the residue of such volumes he shall cause to be deposited in the State library; *Provided*, That if, (unless the decisions of a particular term be divided,) such report, including the index, would exceed six hundred and fifty pages, exclusive of the space occupied by the reporter's notes, then the decisions of such particular term may be divided, so that the report, including the index, and excluding the space occupied by the reporter's notes shall be not less than six hundred pages, which report shall then be indexed, and bound, and five hundred copies delivered to the Secretary of State as aforesaid, for the use aforesaid,

Be and the same is hereby amended to read as follows:

Whenever such printed report shall, without dividing the decisions made at any one term, make not less than six hundred pages the reporter shall add an index thereto and cause the same to be bound in good law binding, into a volume, to be styled "Indiana Reports," and shall forthwith deliver to the Secretary of State, for the use of the State, five hundred volumes thereof, and the Secretary of State shall cause the same to be distributed and disposed of as follows, to wit: Three copies to the Clerk's office of the Circuit Court of each county within this State, two copies of which shall be for the use of the courts of such county, and the other copy for the use of the county library thereof, and one copy to each college in this State, and the residue of such volumes he shall cause to be deposited in the State library; *Provided*, That if the decisions of a single term, shall not amount to six hundred printed pages, the reporter shall, notwithstanding, publish in a separate volume the decisions of such term,

and shall have the same published and ready for delivery on or before the first day of the next succeeding term.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary to whom was referred Senate bill No. 174, being a bill declaring that sales of land heretofore made by sheriffs under execution without a previous appraisement of the rents and profits, shall not be considered void on account of such failure, and to prevent such sales from being set aside in certain cases, have had the same under consideration, and have directed me to report the same back to the Senate with a recommendation that said bill be indefinitely postponed.

On motion by Mr. Miller,
The bill was recommitted to the Committee on the Judiciary.

Mr. Conner, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee to whom was referred Senate bill No. 31, having had the same under consideration, have directed me to report the same back to the Senate with the accompanying amendments, and when so amended they recommend its passage:

Amend the first section by striking out after the word "Indiana" the word "that," and insert as follows:

In case a majority in interest of the creditors of a railroad company and a majority in interest of the stockholders of such company shall agree upon a plan for the readjustment or capitalization of the debt and stock thereof, then, upon a sale of said railroad under judicial proceedings, and a purchase at such sale by trustees on behalf of the parties to such agreement, all the franchises and powers, including the franchise to act as a corporation conferred by the charter of such railroad company shall pass by such sale and vest in the said trustees, together with the railroad and all the other property embraced in the sale, and further amend the bill by adding after the word "State" in the forty-eighth line, third page, of printed bill, the following words, to wit: "not inconsistent with the laws of this State."

Further amend by striking out the fourth section of the bill, viz : the part relating to the sale by trustee in pursuance of the mortgage, so that the sale shall stand upon judicial decree or judgment alone.

Amend the bill by inserting the following as the 4th section in lieu of the section stricken out, viz :

SEC. 4. Next in the order of lien to the existing mortgage debt of the old road shall stand the amounts due persons for labor performed, and wood and other such materials furnished the old company in running the road, and damages for killing stock and right of way.

Further amend the bill by adding the following section :

SEC. 7. This act may be amended as reported at the discretion of the legislature.

The report was concurred in.

The amendment adopted by unanimous consent.

The question then being shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Hamilton, Johnston, Jones, Line, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Slack, Steele, Studabaker, Tarkington, Teegarden, Turner, Wagner, White and Wilson—33.

Those who voted in the negative were,

Messrs. Carnahan, Craven, Landers, Lomax, Shoemaker, Shoulders, Williams and Wolf—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cobb was excused from voting, having paired off with Mr. Murray.

On motion by Mr. Conner,
The title was amended to read as follows :

An act to authorize and regulate the sale of, and to perfect the title of purchasers of railroads sold by foreclosure or other proceedings in law or equity and to enable them to organize corporations and to exercise corporate and other powers, and also to legalize sales of railroads heretofore made.

S. J.—36.

On motion by Mr. Bearss,
The Senate took up Senate bill No. 104,
Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wolfe—42.

Senator Beeson voting in the negative.

So the bill passed,

Ordered, That the Secretary inform the House thereof.

Mr. Slack moved to amend the title of Senate bill No. 104, as follows: by inserting after the word "mulattoes," the words, "or other persons of mixed blood."

Which was agreed to.

On motion by Mr. Robinson,

The vote by which the Senate postponed the consideration of the special order, being the minority report from the Committee on Federal Relations, until 10 o'clock on Saturday next, was reconsidered.

On motion by Mr. Line,

The further consideration of the minority report from the Committee on Federal Relations was postponed until Tuesday next, at 2 o'clock, P. M., and made the special order for that hour.

Mr. Hull moved to take up messages from the House,
Which was agreed to.

The following message from the House was then taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill No. 5 thereof.

An act limiting the power of County Commissioners in the assessment and collection of taxes.

In which the concurrence of the Senate is requested.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate of the passage of the following resolution by the House:

Resolved, That the Senate be requested to return House bill No. 5. Which was concurred in.

Message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in Senate engrossed amendments to engrossed House bill No. 1: "An act defining certain felonies and misdemeanors, and prescribing punishment therefor; and providing for certain evidence on the part of the State."

Message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate, for their signatures to enrolled House bill No. 1, being entitled "an act defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State."

The President and Secretary signed the bill.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following Senate joint resolution No. 7, without amendment. Senate joint resolution No. 7, "a joint resolution on the present condition of national affairs."

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate joint resolution No. 6, "proposing an amendment to article eight of the Constitution, so as to

enable cities, townships, and towns to levy taxes for the support of common schools," with the following engrossed amendments:

Engrossed amendments by the House to Senate joint resolution No. 6:

Amendment 1st. Strike out the words "money and funds," where they occur in section nine, and insert the word "revenue."

2d. Insert after the word "derived" in section nine, seventh line, the words "for that purpose."

Mr. Slack moved to concur in the amendment to the joint resolution.

Pending which Mr. March moved to refer the joint resolution and amendment to a select committee of three,

Which was agreed to, and

The President appointed Messrs. March, Line, and Miller said select committee.

Mr. Studabaker moved to take up Senate bills on their third reading,

Pending which the Senate passed informally over the motion, and took up the following message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed House bill No. 39, "an act to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent therewith, in which the concurrence of the Senate is requested.

House bill No. 39. A bill to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent therewith, contained in the foregoing message,

Was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Conley,
The Senate took up Senate bills on third reading.

SENATE BILLS ON THIRD READING.

Senate bill No. 116. A bill to amend section seven of an act entitled "an act to provide for the election of a reporter, and a speedy

publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 5, 1852,

Was read a third time.

Mr. Newcomb moved to amend the bill, by adding a clause in the proper place, prohibiting the reporter from publishing a volume of less than five hundred pages,

Which was unanimously agreed to.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Steele, Studabaker, Tarkington, Teegarden, Turner, White, Williams and Wolfe—39.

Those who voted in the negative were,

Messrs. Shoulders, Slack, and Wilson—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof

On motion by Mr. Newcomb,
The Senate took up Senate bill No. 114.

Senate bill No. 114. A bill for the relief of borrowers of Sinking Fund, Surplus Revenue Fund, Saline Fund, Congressional School Fund and other funds, and to repeal a certain act therein named, and prescribing how mortgages may be substituted, and matters properly connected therewith,

Was read a third time.

Mr. Studabaker moved to recommit the bill with the following instructions:

Amend so that it shall not apply to loans made in the county of the Trust Fund.

Mr. Wagner moved to refer the bill and instructions to the Committee on Finance,

Which was agreed to.

Senate bill No. 115. A bill to amend the second and fifth sections of an act entitled "an act to authorize the Commissioners of the Sinking Fund to receive substitutions of stock mortgages, and for other purposes, approved January 28, 1857," and containing some provisions respecting the reinstating of mortgages, given for loans made from the Sinking Fund, or any fund loaned by the Auditor or Treasurer of State, and of sales made on account of any of said funds, and respecting the safety, collection and control of said funds, the time, place and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith.

Was read a third time.

Mr. March offered the following instructions :

Add to section eight, "And all interest accruing thereon shall be accounted for by said Commissioners."

On motion,

The bill and pending instructions were referred to the Committee on Finance.

Senate bill No. 175. A bill to amend section forty-two of an act entitled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof, approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof, and the act amendatory thereto, approved March 5, 1859,

Was read a third time.

The question then being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Blair, Carnahan, Cobb, Cravens, DeHart, Hamilton, Hull, Landers, Line, Lomax, March, Miller, Newcomb, O'Brien, Ray, Shields, Shoulders, Slack, Steele, Stone, Tarkington, Turner, White, Williams, Wilson, and Wolfe—26.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Claypool, Conley, Conner, Ferguson, Johnston, Jones, Odell, Robinson, Shoemaker, Studabaker, Teegarden, and Wagner—17.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 171. A bill to repeal an act entitled "an act to provide for the return of the jury in the Common Pleas Court, at the third day of the term," approved March 5, 1859,

Was read a third time.

The question being, Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Blair, Carnahan, Cobb, Cravens, Culver, Ferguson, Hamilton, Landers, Line, Lomax, Miller, O'Brien, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Turner, White, Williams, Wilson, and Wolfe—24.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Claypool, Conley, Conner, Johnston, Jones, March, Odell, Robinson, Steele, and Wagner—15.

So the bill did not pass.

Senate bill No. 107. A bill for the relief of the heirs of Michael O'Brien, deceased,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Studabaker, Tarkington, Turner, Wagner, White, Williams, Wilson, and Wolfe—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 52. A bill to amend section three hundred and fifty-two of an "act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice,

without distinction between law and equity," approved June 18, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Miller, Newcomb, Odell, Ray, Robinson, Shoemaker, Shoulders, Slack, Steele, Studabaker, Tarkington, Teegarden, Turner, White and Wolfe—36.

Those who voted in the negative were,

Messrs. Johnston and Wagner—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 163. A bill to amend section 467 of "An act to revise, simplify and abridge the rules, practice pleadings, and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Miller, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Studabaker, Tarkington, Teegarden, Turner, Wagner, White and Wolfe—38.

Those who voted in the negative were,

Messrs. Johnston and Slack—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 37. A bill to amend the first section of "An act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries. Approved March 5th, 1859."

Was read a third time.

Mr. Wagner moved that the bill be indefinitely postponed.

Mr. Shields moved to lay the motion to postpone upon the table.

The ayes and noes being demanded by Senators Slack and Shields,

Those who voted in the affirmative were,

Messrs. Carnahan, Lomax, Shields, Shoulders, Slack and Wolfe—6.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wilson—37.

So the motion to lay the motion to indefinitely postpone upon the table did not prevail.

The question then recurring upon the motion to postpone indefinitely.

The ayes and noes being demanded by Senators Slack and Wagner,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Studabaker, Tarkington, Teegarden, Turner, Wagner, Williams and Wilson—36.

Those who voted in the negative were,

Messrs. Carnahan, Johnston, Shoulders, Slack, White and Wolfe—6.

So the motion prevailed and Senate bill No. 37 was indefinitely postponed.

On motion by Mr. Wagner,
The Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
February 22, 1861. }

The Senate met.

On motion by Mr. Conner,

The reading of the Journal of the preceding day was dispensed with.

On motion by Mr. Line,

Mr. Ferguson was permitted to change his vote on the passage of Senate bill No. 31.

Mr. Ferguson being called, voted aye.

By consent of the Senate, Mr. Cravens was permitted to record his vote against the passage of Senate bill No. 31.

Mr. Slack objected to the ruling of the Chair in taking a vote upon the motion to dispense with the reading of the Journal.

Mr. Williams also called the attention of the Chair to certain rules of the Senate.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Anthony presented a petition from J. R. Cannon and others, on the subject of the State Prison at Jeffersonville.

Which was referred to the Committee on State Prisons.

REPORTS FROM STANDING COMMITTEES.

Mr. Hamilton, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 114, a bill for the relief of borrowers of the Sinking Fund surplus revenue fund, Saline Fund, Congressional School Fund, and other

funds, and to repeal a certain act therein named, and prescribing how mortgages may be substituted, and matters properly connected therewith, have had the same under consideration, and have directed me to send it back to the Senate, and recommend its indefinite postponement.

Mr. Tarkington moved to recommit the bill to the Committee on Finance, with the following instructions:

To give the power to county auditors to have loans of any of said funds renewed at any time he may think the safety of the fund requires, whether due or not, according to the mortgage creating said loan, and that no loan be collected till due according to the mortgage, unless in the opinion of the auditor the safety of the funds require it, provided the interest be paid promptly.

Mr. Studabaker moved to refer to the Committee on the Judiciary, with instructions "to inquire whether the auditors have not such power now."

Which was not agreed to.

Mr. Newcomb offered the following amendment to the instructions offered by Mr. Tarkington:

Instruct the Committee to inquire into the expediency of striking out of the bill everything except what relates to loans from the Sinking Fund.

Which was adopted by unanimous consent.

The question recurring upon the motion to recommit the bill and pending instructions to the Committee on Finance,

It was agreed to.

Mr. Steele, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 190, an act to amend the first section of an act entitled "an act concerning interest on money," approved May 27, 1852, have had the same under consideration, have directed me to report the same back to the Senate, and recommend it be laid on the table.

Pending the consideration of the report, Mr. Shoulders moved to suspend the Order of Business and introduce a resolution.

The ayes and noes having been demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Odell, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Grubb, Hull, March, Mellett, Miller, Newcomb, Steele, Teegarden, Turner and Wagner—21.

So the motion to suspend the order of business did not prevail.

On motion by Mr. Cobb,

Mr. Shields was granted leave of absence until to-morrow morning at 9 o'clock, A. M.

On motion by Mr. Shields,

Mr. Cobb was granted leave of absence until to-morrow morning at 9 o'clock, A. M.,

A message from the House by Mr. Gordon, clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to present to the President and Secretary of the Senate enrolled House bill No. 190, "An act to provide for the expense of the present Legislature," for their signatures.

The President and Secretary signed the bill.

The question then being, shall the report from the Committee on Finance, embodying Senate bill No. 190, be concurred in.

Mr. March moved to lay the report upon the table and make it the special order for to-morrow at 10 o'clock, A. M.

Which was agreed to.

Mr. Mellett, from the Committee on Finance, made the following report :

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 182, "A bill to repeal an act entitled an act prescribing the duties and fixing the compensation of State Agent," have had the same under consideration and directed me to report the same back, and recommend its indefinite postponement.

The report was concurred in and the bill indefinitely postponed.

Mr. Shoemaker, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred joint resolution No. 74, "A joint resolution requiring the Secretary of State to index the local laws of the State from 1830 to 1852, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it lie upon the table.

Which was concurred in.

Mr. Wagner, from the Committee on Finance made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 197, "An act to exempt from taxation for corporation purposes, personal estate, under the control of guardian, in certain cases," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it lie upon the table.

Which was concurred in.

Mr. Conner, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred a resolution inquiring what further legislation is required, if any, in regard to proceedings supplemental to execution, having had the same under consideration, have directed me to report, in the opinion of the committee, no further legislation is necessary.

Which was concurred in.

Mr. Conner, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 89, being a bill to establish Probate Courts in the several counties of this State, and defining the jurisdiction and duties of, and providing compensation for the judges, having had the same under consideration, have directed me to report the same back to the Senate, and recommend that the same be laid on the table,

Which was concurred in.

Mr. Conner, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 141, being a bill to amend section No. 34, of chapter 83, of the Revised Statutes of 1852, and entitled an act to provide for the incorporation of railroad corporations, approved May 11, 1852, having had the same under consideration, have directed me to report the same back to the Senate, with the recommendation that the same be laid on the table, for the reason that the House has passed a similar bill, which has been reported to the Senate, and which the committee recommend may be passed, as the most expeditious manner of amending the law in question.

Which was concurred in.

Mr. Conner, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 165, being "an act to amend section twenty-six of an act entitled an act authorizing the construction of plank, McAdamized, and gravel roads," approved May 12, 1852, having had the same under consideration, have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Mellett, from the Committee on Claims, to whom was referred Senate bill No. 67, "a bill to provide compensation to persons who may bring to justice fugitives from the same, and prescribing the duties of county commissioners in relation thereto," have had the same under consideration, and have directed me to report the same back, and recommend that it be amended as follows:

Add to the second section the following:

Which said allowance and decision of said board of commissioners shall be final, and no appeal shall be taken or allowed therefrom.

And when so amended, they recommend its passage.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Mellett, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the petition of A. H. Miller and others, asking an appropriation of two hundred and fifty dollars to said Miller, in payment for services rendered in arresting one John Thompson of Orange county, had the same under consideration, and have come to the conclusion that said claim ought not to be paid out of the State treasury, and have, therefore, directed me to report the same back to the Senate, and recommend that the said petition be laid upon the table.

Which was concurred in.

Mr. Steele, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred Senate bill No. 143, "a bill to authorize the Bank of the State of Indiana, to lay off and create five additional bank districts, and to locate and establish branches therein," have directed me to report the same back, and recommend its passage.

On motion by Mr. March,
The report was laid upon the table.

Mr. Beeson, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to which was referred Senate bill No. 195, to secure rents in certain cases, and enable persons of small means to rent land without giving personal or other security, have had the same under consideration, and direct me to report it back, with the following amendments:

In the tenth line of the third section, after the word "his" insert the words "or her;" also in the thirteenth line of said section, after the word "his" insert the words "or her;" and in the ninth line of section four, after the word "his," insert the words "or her;" and when so amended recommend its passage.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Teegarden, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

The Committee on the Benevolent Institutions of the State, in the discharge of a portion of the duties assigned them, have visited, and examined into the condition and wants of the various Benevolent Institutions.

Your Committee is fully prepared to say, that the law passed at the last session of the Legislature, under which the institutions have since been managed, meets with their approval, and they would earnestly impress upon the General Assembly, if any change be made, the necessity of placing the control of those institutions in the hands of men of the most unexceptionable character and acquirements appropriate to their respective positions.

At the Institute for the Education of the Blind there are sixty pupils, most of them young, and susceptible of mental and moral improvement, as the Institution is now not only regarded as an Asylum, but as an institution for educational purposes, whereby the pupil, although deprived of natural vision, may have opened up faculties which are susceptible of a high state of culture, which will enable the pupils to be useful, and have the acquirements to make a living when they leave the Institution. The work department of this Institution is not very extensive, as there is but a small proportion of the pupils of sufficient age or constitution to perform much labor. Brooms are the only articles now manufactured in the shop.

In the Institution for the Education of the Deaf and Dumb, there are one hundred and seventy-three pupils.

In the school department is demonstrated fully the practicability as well as the utility of the system of instruction given to this unfortunate class of our citizens. In the work department there is an evidence of mechanical skill that will enable the pupil to be useful, and imbibe habits of industry and a knowledge of some useful trade by which they can make a living after they leave the institution.

Your Committee, on a careful examination of the building, is fully convinced of the inadequate and defective apparatus in use for warming the building and the almost entire want of any adequate and proper means for washing, drying and ironing the clothes of the

children. In view of protecting the pupils and preventing the building, in its present hazardous condition, from being destroyed by fire, your Committee would recommend that the Legislature make an appropriation to carry out the plans and estimates referred to in the report of the Board of Trustees and Superintendent, and herewith submitted by the Committee.

At the Hospital for the treatment of the Insane, there is now two hundred and ninety-seven patients, every ward in the Hospital is full, and many of them very much crowded beyond their capacity for taking care of the patients and treating them as successfully as they could otherwise be treated, and consequently many meritorious patients are obliged to be refused admission and treatment in the Hospital, while other patients, partially cured, are not unfrequently obliged to be removed to give room for new patients.

In view of the foregoing conclusion, and in consideration of the large number of insane persons in the State who are not provided for, your Committee feel it to be their duty to urge upon the present Legislature that some provisions may be made, either by enlarging the present Hospital, or by building a separate institution for a home for the incurable insane of Indiana.

There are many other suggestions connected with the Hospital, which are now under consideration, and will appear in our next report, in relation to the farm, artesian well, laundry establishment, repairs, &c.

A. TEEGARDEN, *Chairman.*

Which was concurred in.

Mr. Shoemaker, from the Committee on County and Township Business, made the the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to which was referred resolution No. 50, inquiring into the expediency of reporting a bill transferring the location, vacation or change of all public highways within the respective townships, from the Board of County Commissioners to the township trustee, have had the same under consideration, and have directed me to report the same back, and recommend that it lie on the table,

Which was concurred in.

Mr. DeHart, from the Committee on Printing, made the following report:

MR. PRESIDENT:

The Committee on Public Printing, to whom was referred Senate resolution directing inquiry into the expediency of having the laws
S. J.—37.

published in one weekly newspaper in each county, where one is printed, have considered the same, and direct me to report that it would be inexpedient,

Which was concurred in.

Mr. Miller, from the Committee on the judiciary, made the following report:

MR. PRESIDENT:

The Committee on the judiciary, to whom was referred Senate bill, No. 204, being a bill to amend the fifth section of the act of 1859, providing a Treasury system, etc., have had the same under consideration, and have directed me to report the same back to the Senate and recommend its reference to the Committee on Finance,

Which was concurred in, and the bill was so referred.

On motion by Mr. Mellett,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

BILLS INTRODUCED.

Mr. Turner introduced

Senate bill No. 220. A bill to provide for the prosecution of the necessary judicial proceedings to procure the removal of the feeder dam erected across the Calumet river in the State of Illinois, and for the payment of the expenses of such proceedings,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Cravens introduced

Senate bill No. 221. A bill to repeal an act entitled "an act prescribing the time of holding and the length of terms of the courts of the Third Judicial Circuit," approved March 3, 1859, and to revise and declare in force the act or parts of acts thereby repealed,

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Anthony introduced,

Senate bill No. 222. A bill to provide for the government and discipline of State prisons, and to repeal an act to provide for the government and discipline of State prisons, approved February 5, 1857, together with so much of an act to provide for the erection of a new prison north of the National Road, elect officers thereof, make appropriations, and for the regulation of the same, approved March 5, 1859," as may come in conflict with this act, and all other laws and parts of laws inconsistent with the provisions of this act.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. March introduced,

Senate bill No. 223. A bill to amend the 20th section of an act entitled, "An act concerning the partition of lands approved May 20, 1852, and to provide for appeals, and fixing the time thereof."

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner introduced,

Senate bill No. 224. A bill to provide for the investment of the Sinking Fund in Indiana five per cent. and two and a half per cent. State Stock.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Tarkington introduced,

Senate bill No. 225. A bill to amend section 33 of "an act providing for the government of the State University, the management of its funds, and for the disposition of the lands thereof," approved June 17, 1852, and providing for the prompt collecting of the interest on loans of said funds, and the duties of officers therein named.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. March introduced,

Senate bill No. 226. A bill to amend the 20th, 22d, 23d and 24th sections of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State, approved June 17, 1852, and to authorize district attorneys to administer oaths in certain cases.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Tarkington introduced,

Senate bill No. 227. A bill to regulate the contingent fee, or perpetuate scholarship in the State University and providing for the purchase of the same.

Which was read a first time and passed to a second reading on to-morrow.

Mr. March introduced,

Senate bill No. 228. A bill to amend the 3d section of an act entitled "An act prescribing the powers and duties of justices of the peace in State prosecutions," approved May 29th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Blair introduced,

Senate bill No. 229. A bill to abolish complete records in certain cases in the supreme court of this State, and repeal all laws inconsistent therewith.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner introduced,

Senate bill No. 230. A bill to enable railroad companies incorporated under the general railroad law of May 11, 1855, that have gone on to construct their roads, but failed to complete the same within the time specified in said law, to enjoy the privileges of their charter, and to complete or abandon the remainder, and to make railroad companies to extend their lines of railroads, and also to extend the time to complete railroads.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Newcomb introduced,

Senate bill No. 231. A bill to amend section 68 of an act entitled "An act to repeal all laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1857, and to provide for a penalty upon city taxes remaining delinquent after the third Monday of March, A. D. 1859, approved March 1, 1859.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Claypool introduced,

Senate bill No. 232. A bill supplementary to an act defining felonies, and prescribing punishment therefor, approved June 10, 1852, and defining certain offenses therein, and prescribing punishment therefor.

Which was read a first time, and passed to a second reading on tomorrow.

By unanimous consent,

Mr. Craven, from the committee on the judiciary, made the following report:

Mr. PRESIDENT:

The committee on the judiciary, to whom was referred Senate bill No. 64, a bill to provide for the rights of married women in the case of the sale of lands on execution or by virtue of any judicial proceeding, and in all other cases when the wife does not consent to the sale; have had the same under consideration, and have recommended me to amend the same by inserting the word "hereafter" immediately after the word "shall," in the fourth line of said section.

Also, by striking out the words "had died" in the 11th and 12th lines of said section, and inserting in lieu thereof the words "were dead."

Also, have recommended me to amend the 3d section of said bill by inserting immediately after the words "purchase money" the following: "nor to satisfy any mechanics lien."

Also, to add at the end of said 3d section the following: "or mechanics lien."

Have also recommended me to insert the following section between the 3d and 4th sections of said bill:

SECTION 4. Any and all realty required by any married woman under the provisions of this act, shall, after her death, descend to the same heirs, and be governed by the same laws of descent that would apply to, and govern the title and descent of such real estate, had she inherited the same from her husband after his death."

And when said bill is so amended, recommend that said bill, for the present, lie upon the table.

The report was concurred in, the amendments adopted, and the bill laid upon the table.

On motion,

The Senate took up the following House messages:

The following House message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following concurrent Senate resolution, to-wit:

Resolved, (the House concurring therein), that a joint committee of three on the part of the Senate, and five on the part of the House, be appointed to consider the propriety of reporting a bill to provide for the gradual but certain liquidation of the State debt within a reasonable time; and that Messrs. Branham, Brett, Fisher, Crain, and Gifford have been appointed that committee on the part of the House.

The following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed House joint resolution No. 22, a joint resolution on amending the Constitution of the State of Indiana, in which the concurrence of the Senate is requested.

House joint resolution No. 22, contained in the foregoing message, was read, and laid upon the table.

Mr. DeHart moved that the Senate do now adjourn,
Which was not agreed to.

The following House message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following joint resolutions thereof:

House joint resolution No. 31: To provide for the appointment of a commission to investigate and report on the fiscal affairs of the State;" and

House joint resolution No. 32: A joint resolution, instructing our Senators, and requesting our Representatives in Congress to endeavor to procure an appropriation for the improvement of the harbor at Michigan City.

In which the concurrence of the Senate is respectfully requested.

House joint resolutions Nos. 31 and 32, contained in the foregoing message, were severally read and laid upon the table.

The following message was taken up:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill thereof No. 8, "a bill providing for the allowance of compensation to clerks of the Circuit and Common Pleas Courts and sheriffs for extra services, and to repeal all laws inconsistent therewith,"

In which the concurrence of the Senate is respectfully requested.

House bill No. 8, contained in the foregoing message,

Was read a first time, and passed to a second reading on to-morrow.

The following message was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill No. 3 thereof, "an act to amend the sixteenth section of an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this state, and duration of the terms thereof, and making all process from the Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, so as to provide for the holding of said Common Pleas Court in the county of Newton.

In which the concurrence of the Senate is respectfully requested.

House bill No. 3, contained in the foregoing message,

Was read a first time, and passed to a second reading on to-morrow.

The following message was taken up :

MR. PRESIDENT :

I am directed to inform the Senate that the House of Representatives has passed the following engrossed bills thereof: Bills No. 44, 103, 107, and 167.

House bill No. 44. A bill to amend the first section of an act entitled "an act to provide for the management and disposal of the estates of persons who have absented themselves from their usual place of residence and gone to parts unknown, approved March 5, 1859."

House bill No. 103. An act to provide for the erection and repair of any bridge across a stream forming the boundary line between two

counties, and to repeal section seven of an act approved March 3, 1855, entitled "an act to provide for the erection and repair of bridges," and to repeal an act entitled "an act to provide for the erection and repair of bridges, approved May 12, 1852."

House bill No. 107. A bill to amend an act, entitled an "act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852," and to provide a mode of taking down evidence in certain cases."

House bill No. 167. An act concerning promissory notes, bills of exchange, bonds, or other instruments in writing, signed by any person who promises to pay money, acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith."

In which the concurrence of the Senate is respectfully requested.

House bills No. 44, No. 103, No. 107, and No. 167, contained in the foregoing message were severally read a first time and passed to a second reading on to-morrow.

The following message was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill No. 199, thereof,

A bill to amend an act entitled "an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock.

In which the concurrence of the Senate is requested.

House bill No 199 contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

By unanimous consent.

On motion by Mr. March,

Mr. Steele was permitted to withdraw the report from the Committee on Banks, made this morning, embodying Senate bill No. 143.

On motion by Mr. Blair,
Mr. Robinson was granted leave of absence until Monday next, at
2 o'clock, P. M.

Mr. Beeson moved that the Senate do now adjourn.

The ayes and noes being demanded by five Senators,

Those who voted in the affirmative were,

Messrs. Anthony, Berry, Cravens—3.

Those who voted in the negative were,

Messrs. Beeson, Blair, Claypool, Conner, Craven, DeHart, Grubb,
Hull, March, Mellett, Newcomb, Steele, Teegarden, Turner, Wagner,
and White—16.

So the motion to adjourn did not prevail.

On motion by Mr. Wagner,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
February 23, 1861. }

The Senate met.

On motion by Mr. Line,
The reading of the Journal of the preceding day was dispensed
with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Tarkington presented the proceedings of a meeting of the cit-
izens of Nashville, Brown county, Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Odell presented a memorial from sundry citizens of Carroll
county, Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Johnston presented a memorial from sundry citizens of the State of Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Ferguson presented a memorial from sundry citizens of Clark county, Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Studabaker presented the proceedings of a meeting of sundry citizens of Jay county, Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Ray presented the resolutions of a meeting of sundry citizens of Indiana, held at Indianapolis, February 22, 1861, on the state of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Bearss presented a petition from sundry citizens of Indiana, asking a repeal of the law requiring a license to exhibit concerts for pay,
Which,
On motion,
Was referred to a Select Committee.

The President appointed Senators Bearss, Claypool and Turner said Select Committee.

Mr. Wagner presented the resolutions of a meeting of the soldiers of the war of 1812 and the Mexican war, on the state of the Union,
Which were referred to the Committee on Federal Relations.

Mr. Claypool presented a memorial from sundry citizens of Fayette county, Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. O'Brien presented a memorial from sundry citizens of Indiana, on the state of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Craven presented a petition from sundry citizens of Madison county, Indiana, asking the repeal of "an act to regulate the sale of spirituous liquors,"
Which was referred to the Committee on Temperance.

Mr. Tarkington presented a petition from sundry citizens of Monroe country, Indiana, on the subject of temperance,
Which was referred to the Committee on Temperance.

By consent,

Mr. Line offered the following resolution :

Resolved, That the Committee on the Organization of Courts be instructed to inquire into the expediency of making up a complete record in case of final settlement of executors or administrators; and, also, into the expediency of authorizing county clerks to settle with executors and administrators during vacations, and that they report by bill or otherwise,

Which was agreed to.

By request,

Mr. Miller offered the following resolution :

Resolved, That a Committee of Three be appointed to examine the safes and vaults of the State Treasury Department, and to report to the Senate at as early a day as practicable the number and size of all safes or vaults in the office of the Treasurer of State, giving a full description thereof, and whether or not such safes and vaults are sufficient for the safe keeping of the Treasurer's bonds, and papers required to be kept in said office,

Which was agreed to.

And the President appointed Senators Miller, Wagner, and Hamilton said Committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Studabaker, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred a resolution instructing them to inquire and report whether persons who advanced money for the support of their friends in the Indiana Hospital for the Insane, in the year of 1857, can legally demand that the same be reimbursed, have had the same under consideration, according to order, and have directed me to report that in the opinion of the Committee, no such demand can be legally made,

Which was concurred in.

Mr. Jones, from the committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claim of A.

M. Puett for services as witness before the Swamp Land Investigating Committee of the Senate in 1859, have had the same under consideration, and have directed me to report the same back, and recommend that the sum of twenty-seven dollars be allowed him for his services, and asked that it be allowed in the specific appropriation bill.

On motion,

The report was referred to the Committee on Finance.

Mr. Jones, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim and petition of Benjamin F. Gregory, late Treasurer of Warren county, and State of Indiana, setting forth that the petitioner sustained a loss while Treasurer of said County, by the depreciation of State Stock money, collected as State revenue in the years 1854 and 1855, amounting to the sum of 210 dollars and 92 cents, principal and interest to this date, have had the same under consideration, and directed me to report the same back to the Senate, and recommend that the claim be not allowed.

Which was concurred in.

Mr. Johnston, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred petition of Chas. High, Joshua Anderson, Austin High, William B. Bartlett, Jacob L. Dick, Solomon L. Dick, George West, Thomas West, Henry J. Cotton, and Willis Graves, praying that an allowance be made them out of the State Treasury, for money expended by them in the arresting and bringing to justice Charles H. Hunter and Wm. Dines, charged with grand larceny, in the County of Warren, State of Indiana, have had the same under consideration, and have directed me to report that in the opinion of the committee such claims ought not to be allowed out of the State Treasury; but if allowed, it should be out of the county treasury by the county boards, where the justice of such claims can be better understood, and that said claim lie on the table.

Which was concurred in.

Mr. Odell, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred a resolution to inquire into the expediency of abolishing the office of township assessors, and to create the office of county assessors as the same existed previous to the passage of the law, and that they report, by bill or otherwise, have had the same under consideration, and have directed me to report that, in the opinion of the Committee, such change would be inexpedient.

Which was concurred in.

REPORTS FROM SELECT COMMITTEES.

Mr. Line, from a select committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred the petition of certain citizens of the counties of Franklin and Dearborn, complaining that the property of the Harrison, New Trenton, and Brookville Turnpike Company is appraised for taxation at too high a rate, and praying for the passage of an act to authorize the re-appraisement of the same, have had the petition under consideration, and report that, while they find the ground of complaint set forth in the petition to be true and valid, and the petitioners enabled relief, no action on the petition is necessary on the part of the Senate, from the fact that adequate relief is already amply provided by the Revised Statutes of 1852, volume 1, chapter 6, section 82, which chapter provides that the county auditors "shall, from time to time, correct all errors which he may discover in his duplicate," among other particulars specified in "the amount of tax charged;" provided, however, agreeable to the provision of section 86 of the same chapter, that "he shall, in no case, reduce the amount returned by the assessor without the written assent of the Auditor of State, given on a statement of facts submitted by the county auditor."

The committee, therefore, believing that the existing law fully provides a remedy for the evil complained of, report further action on the petition inexpedient.

Which was concurred in.

Mr. March, from a select committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred Senate resolution No. 6, proposing an amendment to the eighth section of the constitution of the State, with amendments of the House, have had the same

under consideration, and directed me to report the same back, and recommend that the Senate concur in all the amendments of the House.

Which was concurred in.

Mr. Ferguson, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to which was referred the petition of citizens of Clark County, praying an appropriation for the erection of a monument over the remains of Jonathan Jennings, have given that subject the consideration which its importance demands.

The name of Jonathan Jennings occupies a prominent position in the early history of the State of Indiana. As early as 1809, before the State had thrown off her Territorial government, he was elected a delegate to Congress, and though a very young man, he immediately took his position as the equal of the most distinguished statesmen of that day.

When the people of the Territory were permitted to call a convention to form a constitution preparatory to admission into the Union, he took his seat as a delegate from the county of Clark, and was selected as the presiding officer of the convention. At the first election under the Constitution he was elected Governor of the State, and served the people in that capacity for six years. Subsequently he was elected to Congress and served until the year 1831.

In all the positions that he occupied, he distinguished himself as a statesman of uncommon ability, was always mindful of the wants of the people of the State, and faithful to every trust imposed upon him.

By the few early settlers who yet survive, the public services of no man are remembered with more gratitude than those of Jonathan Jennings.

But like many other men, who have devoted their lives to the service of their country, he died poor, childless, and as your committee are informed, without blood relations in the State, he was buried in a grave yard long since abandoned, and at this time not even inclosed.

A few of the older citizens are yet able to point out his grave, which is not honored even with a rude stone.

When these men pass away, unless the State takes some step to commemorate the spot, it will be impossible to designate the final resting place of Indiana's first Governor, to whose fostering care the State is so much indebted for her happiness and prosperity.

Under such circumstances a majority of the committee are of the opinion, that it is not only right, but the duty of this Legislature to make an appropriation for the purpose expressed in the petition, and therefore present the accompanying bill, and earnestly recommend its passage.

Mr. Newcomb, from the same select committee, made the following minority report:

MR. PRESIDENT:

The undersigned, a member of the select committee, to whom was referred the petition of sundry citizens of Clark county, praying an appropriation from the State treasury for the erection of a monument over the remains of the late Governor Jonathan Jennings, feels it to be his duty to dissent from the report of the majority of the committee.

The undersigned does not regard the erection of monuments to the memory of deceased men, however great and worthy they may have been in life, as a legitimate expenditure of funds raised by taxation from the people of the State. Another weighty objection to the appropriation recommended by the majority of the committee, is found in the embarrassed condition of the finances of the State. At a time when money has to be borrowed to pay the ordinary expenses of the State, with a large deficiency in the public revenues, and financial distress weighing upon all interests of the people, the undersigned believes that the State ought not to engage in building monuments, especially when the generation with whom the deceased was a contemporary, did not take any steps to thus perpetuate his memory.

Respectfully submitted,
H. C. NEWCOMB.

Which, on motion by Mr. Line,
Was laid on the table.

The question recurring upon the adoption of the majority report,
The ayes and noes being demanded by Messrs. Wagner and Steele,

Pending the call for the ayes and noes,
Mr. Wagner moved to concur in the report of the committee, with the following amendment:

"Amend so as to appropriate \$5,000 for the erection of a monument on the Tippecanoe Battle Ground."

Mr. Miller offered the following amendment to the amendment:
"Amend the amendment by striking out five thousand and inserting twenty-five hundred."

Pending which,

On motion by Mr. Wagner,
Mr. Cravens was granted leave of absence until Monday at 2 o'clock, P. M.

On motion by Mr. Steele,
Mr. Odell was granted leave of absence until Monday at 2 o'clock,
P. M.

On motion Mr. March,
Mr. Steele was granted leave of absence until Monday at 2 o'clock,
P. M.

The question recurring upon the amendment to the amendment to the report.

Mr. Wolfe moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Conner and Wagner,

Pending the call of which,
Mr. Wagner moved to lay the report and amendments upon the table,
until Monday, at 2 o'clock, P. M.
Which was agreed to.

By consent, *

Mr. Conner offered the following resolution:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of providing for remitting a suitable and proper amount of funds to the committee at Washington, appointed by the Governor of the State of Indiana, in pursuance of a resolution of the General Assembly of said State, to meet the commissioners appointed on the part of other States, to hold what is known as a "Peace Conference," to defray the personal expenses of said commissioners and their proper portion of the necessary expenses of the conference, and that said committee report by bill or otherwise.

Mr. Williams rose to a point of order, that the resolution should be referred to the Committee on Federal Relations.

The Chair decided that the resolution should properly be referred to the Committee on Finance.

Mr. Slack offered the following amendment to the resolution:

"And that said Commissioners are hereby instructed to vote for the Crittenden amendments to the Constitution."

Which was decided to be out of order by the Chair, as not being germane to the resolution.

Mr. Line offered the following amendment to the resolution :

Insert in its proper place, "and make some provisions whereby the members of the present General Assembly may get some funds."

Mr. Line being informed that such provision had been made, withdrew his amendment.

On motion by Mr. Conner,

The whole subject-matter was postponed until Monday next at 2 o'clock, P. M., and made the special order for that hour.

Mr. Line asked consent to introduce a resolution.

Objections being made,

Mr. Line moved to take up Senate bill No. 217, and make it the special order for 2 o'clock P. M. to-day, in Committee of the Whole,
Which was agreed to.

On motion by Mr. Studabaker,

Mr. Hamilton was granted leave of absence until Tuesday at 2 o'clock P. M.

BILLS INTRODUCED.

Mr. Bearss introduced

Senate bill No. 233. A bill to amend section one hundred and forty-three of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State," approved June 17, 1852, so as to fix the rate of compensation for the publication of the delinquent lists in the several counties of this State."

Which was read a first time, and passed to a second reading on tomorrow.

Mr. White introduced

Senate bill No. 234. A bill to amend the first section of an act entitled "an act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. DeHart introduced

Senate bill No. 235. A bill to prohibit clerks of the Circuit and Common Pleas Courts, and their deputies and assistants, from practicing law in certain cases.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Anthony introduced

Senate bill No. 236. A bill to amend the title and first section of an act entitled "an act to amend the title and first section of an act entitled an act authorizing railroads, plank-roads, and McAdamized road companies to borrow money, and to secure the payment thereof, by mortgage," approved February 5, 1852, approved February 14, 1859.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Miller introduced

Senate bill No. 237. A bill to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justice of the peace, constables, and all other officers who collect money by virtue of their office and executors, administrators, guardians, and trustees, and providing for the indemnification of such officers and persons.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. O'Brien introduced

Senate bill No. 238. A bill to amend the forty-second section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Studabaker introduced

Senate bill No. 239. A bill to amend section twelve of an act entitled "an act to authorize the construction of levees and dams," approved June 12, 1852, and to legalize appraisements made under

said act, where the appraisers were sworn before a justice of the peace.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Tarkington introduced

Senate bill No. 240. A bill regulating the rates of exchange chargeable in certain cases herein named and declaring it usury to take or charge exchange contrary to the provisions thereof by any bank, individual, or corporation,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Miller introduced

Senate bill No. 241. A bill to amend sections one, two and three, of an act entitled "an act to provide for the relocation of county seats, and for the erection of public buildings in case of such relocation, approved March 2, 1855, and to provide for the disposition of grounds and buildings heretofore used as county buildings, and to provide for appeals from the decisions of boards of county commissioners in relation thereto, and to repeal all laws in conflict therewith,

Which was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Tarkington,

Senate bill No. 100. A bill to create the Fourteenth Judicial Circuit,

Was taken from the files and referred to a Select Committee of three.

The President appointed Senators Tarkington, Cobb and Landers said Select Committee.

On motion by Mr. Mellett,

Mr. Conner was granted leave of absence until Monday next at 2 o'clock, P. M.

On motion by Mr. DeHart,

Mr. Grubb was granted leave of absence until Monday next, at 2 o'clock, P. M.

On motion by Mr. Ferguson,

Senate bill No. 39. A bill to give the same force and effect to surveys made by city surveyors, in certain cases, as if made by county surveyors, and authorizing appeals therefrom,
Was taken from the table.

Ordered, To be engrossed, and placed upon the files.

On motion by Mr. Newcomb, the Senate took up bills on second reading.

SENATE BILLS ON SECOND READING.

Senate bill No. 210. A bill to aid in the collection and preservation of historical materials relating to the early settlement of Indiana,
Was read a second time.

Mr. Line moved,

To fill the blank in said bill with the words "five hundred."

On motion by Mr. Line,

The bill and pending amendment were referred to a Select Committee, consisting of Senators Line, Carnahan, Newcomb, Miller and Berry.

On motion by Mr. Bearss,

The Principal Secretary was granted leave of absence, until Monday next, at 2 o'clock, P. M.

On motion by Mr. Tarkington,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President of the Senate being absent,

On motion by Mr. Williams,

Mr Wagner was appointed President *pro tempore* during the absence of the President.

SPECIAL ORDERS.

The hour having arrived, the Senate resolved itself into Committee of the Whole Senate, with Senate bill No. 217 under consideration, Mr. Williams in the chair.

After spending some time in the consideration thereof, the Committee rose, and, through their Chairman, made the following report:

MR. PRESIDENT:

The Committee of the Whole Senate, to whom was referred Senate bill No. 217, the titles to which is set forth on the record of the Senate immediately preceding the going into Committee of the Whole, have had the same under consideration, and have directed me to report progress and to recommend the adoption of the following amendments, and ask to be discharged from the further consideration of the subject.

Amend section three by adding thereto,

Provided, That the Superintendent of Public Instruction shall, at any time when he discovers from the report that there is a deficit in the amount collected for want of prompt collection, direct the attention of the board of county commissioners and county auditors to that fact.

Amend Section three, in the second line, by inserting, "Or may have been," after the word "is."

Amend section four: Add in the fourth line after the word "trustee," "and perform the duties of."

Add to section six the following words:

And the auditor shall report to the Superintendent of Public Instruction the names and post office address of each trustee.

Amend section nine: Strike out in the second line the words "employ teachers."

Amend section nine: Strike out of the fifth line that which relates to fuel.

On motion by Mr. Studabaker,

The report and Senate bill No. 217 therein contained, with the pending amendments, was made the special order for Tuesday next at 10 o'clock, A. M.

Senate Bills on Second Reading.

Senate bill No. 211. A bill to amend the 238th and 241st sections of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice, in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18th, 1852, and to provide for the examination and taking the depositions of parties as witnesses in civil actions and proceedings.

Was read a second time, and

On motion,

Referred to the Committee on the Judiciary.

House bill No. 8. A bill providing for the allowance of compensation to clerks of the Circuit and Common Pleas Courts and Sheriffs for extra services, and to repeal all laws inconsistent therewith,

Was read a second time, and,

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 212. A bill fixing the time of holding the Circuit Courts in the Sixteenth Judicial Circuit, and repealing all laws in conflict therewith,

Was read a second time, and on motion was referred to the Committee on the Organization of Courts.

Senate bill No. 213. A bill to legalize deeds of conveyance of real estate and to debar married women from any right or interest in such real estate in certain cases,

Was read a second time, and,
On motion,
Referred to the Committee on the Judiciary.

Senate bill No. 214. A bill to amend sections two of an act entitled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof, and repealing sections twenty-nine and thirty-eight, of said act," approved March 1, 1859,

Was read a second time, and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 215. A bill to repeal an act entitled "an act to provide for the erection of a new prison north of the National road, election of officers therefor, making appropriations, and for the regulations of the same, approved March 5, 1859,"

Was read a second time, and,
On motion,
Referred to the Committee on State Prison.

Senate bill No. 218. A bill to amend the first section of an act entitled "an act to enable trustees to receive lands and donations, and convey the same for the use of schools, churches, religious societies, Masonic and Odd-Fellows' lodges, Sons and Daughters of Temperance, and for the construction of cemeteries, houses of worship, or other buildings therein named, approved June 17, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 219. A bill to amend the second section of an act entitled "an act to amend the two hundred and seventh and two hundred and eighth sections of 'an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,'" approved June 18, 1852, which amendatory act was approved March 5, 1859, so as to authorize a change of venue in certain cases from the county, and prescribing the mode in which the same shall be granted,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 220. A bill to provide for the prosecution of the necessary judicial proceedings to procure the removal of the feeder dam erected across the Calumet river in the State of Illinois, and for the payment of the expenses of such proceedings,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 221. A bill to fix the time of holding the courts in the Third Judicial Circuit,

Was read a second time, and referred to the Committee on the Organization of Courts.

Senate bill No. 222. A bill to provide for the government and discipline of State Prisons, &c., &c., &c.,

Was read a second time, and referred to the Committee on State Prison.

Senate bill No. 223. A bill to amend the 20th section of an act entitled "an act concerning the partition of lands, approved May 20, 1852, and to provide for appeals and fixing the time thereof,

Was read a second time, and,

On motion,

Referred to the Committee on the Judiciary.

Senate bill No. 224. A bill to provide for the investment of the Sinking Fund in Indiana five per cent., and two and a half per cent. State Stock,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 225. A bill to amend section thirty-three of "an act providing for the government of the State University, the management of its funds, and for the disposition of the lands thereof," approved June 17, 1852, and providing for the prompt collecting of the interest on loans of said funds, and the duties of officers therein named,

Was read a second time, and referred to the Committee on Education.

Senate bill No. 226. A bill to amend the twentieth, twenty-second, twenty-third and twenty-fourth sections of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State, approved June 17, 1852," and to authorize district attorneys to administer oaths in certain cases,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 227. A bill to regulate the contingent fee on perpetual scholarships in the State University, and providing for the purchase of the same,

Was read a second time, and,

On motion,

Referred to the Committee on Education.

Senate bill No. 228. A bill to amend the third section of an act entitled "an act prescribing the powers and duties of justices of the peace in State prosecutions, approved May 29, 1852,"

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 229. A bill to abolish complete records in certain cases in the Supreme Court of this State, and to repeal all laws inconsistent therewith,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 230. A bill to enable railroad companies incorporated under the general railroad law of May 11, 1852, that have gone on to construct their roads, but failed to complete the same within the time specified in said law to enjoy the privileges of their charter, and to complete or abandon the remainder, and to enable railroad companies to extend their lines of railroads, and also to extend the time to complete railroads,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 231. A bill to amend section sixty-eight of an act entitled "an act to amend an act entitled, an act to repeal all laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1859, and to provide for a penalty upon city taxes remaining delinquent after the third Monday of March, A. D. 1859," approved March 1, 1859,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 232. A bill supplemental to "an act defining felonies and prescribing punishment therefor," approved June 10, 1852, and defining certain offences therein, and prescribing punishment therefor,

Was read a second time, and referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Mr. March introduced

Senate bill No. 242. A bill to amend the fourth and fifth sections of an act entitled an act concerning interest on money, approved May 27, 1852,

Which was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Studabaker,
The Senate adjourned.

MONDAY MORNING, 9 o'CLOCK, }
February 25, 1861. }

The Senate met.

The Journal of the preceding day was read.

The President and President *pro tempore* being absent,

On motion by Mr. Line,

Mr. Anthony was called to the chair.

BILLS INTRODUCED.

Mr. White introduced

Senate bill No. 243. A bill to amend the title and section one of an act entitled "an act concerning promissory notes and bills of exchange, approved May 12, 1852, so as to include bonds or other instruments in writing,

Which was read a first time, and passed to a second reading on to-morrow.

SENATE BILLS ON SECOND READING.

Senate bill No. 233. A bill to amend section one hundred and forty-three of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county Treasurer and Auditor of State," approved June 17, 1852, so as to fix the rate of compensation for the publication of the delinquent lists in the several counties of this State,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 234. A bill to amend the first section of an act entitled "an act providing for the appointment of notaries public, and defining their powers and duties, approved June 9, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 235. A bill to prohibit clerks of the Circuit and Common Pleas Courts and their deputies and assistants from practicing law in certain cases,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 236. A bill to amend the title and first section of an act entitled "an act to amend the title and first section of an act entitled 'an act authorizing railroad, plank road and McAdamized road companies to borrow money, and to secure the repayment thereof, by mortgage, approved February 5, 1852,' approved February 14, 1859,"

Was read a second time, and referred to the Committee on Agriculture.

Senate bill No. 237. A bill to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justices of the peace, constables, and all other officers who collect money by virtue of their office and executors, administrators, guardians, and trustees, and providing for the indemnification of such officers and persons,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 238. A bill to amend the forty-second section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1859,

Was read a second time, and referred to the Committee on Corporations.

Senate bill No. 239. A bill to amend section twelve of an act entitled "an act to authorize the construction of sewers and drains." approved June 12, 1852, and to legalize appointments made under said act, where the appraisers were sworn before justices of the peace,

Was read a second time, and referred to the Committee of the Judiciary.

Senate bill No. 240. A bill regulating the rates of exchange chargeable in certain cases therein named; and declaring it usury to take or charge exchange contrary to the provisions thereof by any bank, individual or corporation,

Was read a second time, and referred to the Committee on Banks.

Senate bill No. 241. A bill to amend sections one, two and three of an act entitled "an act to provide for the relocation of county seats, and for the erection of public buildings, in case of such relocation," approved March 2, 1855, and to provide for the disposition of grounds and buildings heretofore used as county buildings, and to provide for appeals from the decisions of boards of county commissioners in relation thereto, and to repeal all laws in conflict therewith,

Was read a second time, and referred to the Committee on County and Township Business.

Senate bill No. 242. A bill to amend the fourth and fifth sections of an act entitled "an act concerning interest on money, approved May 27, 1852,

Was read a second time and referred to Committee on Finance.

On motion by Mr. Line,

The Senate took up House bills on their second reading.

HOUSE BILLS ON SECOND READING.

House bill No. 3. A bill to amend the sixteenth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from present Common Pleas Courts returnable to such terms and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, so as to provide for the holding of said Common Pleas Courts in the county of Newton,

Was read a second time, and referred to the Committee on the Organization of Courts.

Mr. Anthony moved to pass informally over the consideration of House bill No. 39, upon its second reading,

Which was not agreed to.

House bill No. 39. An act to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent therewith,

Was read a second time.

Mr. Hull moved to refer the bill to the Committee on the Judiciary, with instruction to report back to-morrow morning.

Mr. Claypool offered the following amendment:

Provided, That nothing in this act contained shall effect any county now [fully] organized under existing laws.

On motion by Mr. Tarkington,

The instructions of Mr. Hull requiring the Committee on the Judiciary to report back House bill No. 39, to-morrow morning,
Was laid on the table.

Mr. Williams offered the following as a substitute for the amendment of Mr. Claypool:

Nothing in this bill shall be so construed as to interfere with the formation of the county of Newton.

On motion,

The bill and pending amendments were referred to the Committee on the Judiciary.

House bill No. 103. An act to provide for the erection and repair of any bridge across a stream forming the boundary line between the counties, and to repeal section seven of an act approved March 3, 1855, entitled "an act to provide for the erection and repair of bridges," and to repeal an act entitled "an act to provide for the erection and repair of bridges," approved May 12, 1852,

Was read a second time, and referred to the Committee on Roads,

House bill No. 44. A bill to amend the first section of an act entitled "an act to provide for the management and disposal of the estates of persons who have absented themselves from their usual place of residence and gone to parts unknown," approved March 5, 1859.

Was read a second time.

Mr. Miller offered the following amendment:

To amend by striking out "three years," and inserting "five years" in proper place.

On motion by Mr. Studabaker,

The bill and pending amendment were referred to the Committee on the Judiciary.

House bill No. 107. A bill to amend an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852; and to provide a mode of taking down evidence in certain cases.

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 167. A bill concerning promissory notes, bills of exchange, bonds, or other instruments in writing signed by any person who promises to pay money, acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith.

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 199. A bill to amend an act entitled "an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock,

Was read a second time.

Mr. Wolf offered the following amendment:

Amend the second section by adding the following:

And all purchases of real estate heretofore made by any agricultural society, not exceeding the amount of eighty acres, are hereby legalized.

On motion,

The bill and pending amendments was referred to the Committee on Agriculture.

On motion by Mr. Studabaker,

The following House messages were taken up:

Message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill thereof, No. 283.

House bill No. 283. A bill to provide for the payment of interest on the State debt, due January 1, 1861, in which the concurrence of the Senate is respectfully requested.

The message was concurred in, and House bill No. 283 therein contained was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Lomax,

Resolved, That the joint committee on apportionment be instructed to inquire into the expediency of reducing the number of Senators to thirty, and the number of Representatives to sixty, and if such reduction be expedient, to report a bill apportioning the State accordingly.

Mr. Carnahan offered the following resolution :

Resolved, That during the remainder of this session the Senate will meet at 8½ o'clock, A. M., and 1½ o'clock, P. M., on each day.
Which, under the rule, was laid over for one day.

PETITIONS, MEMORIALS, REMONSTRANCES, &C.

Mr. Miller presented a petition from sundry citizens of Marshall county, Indiana, on the subject of temperance.
Which was referred to the Committee on Temperance.

Mr. Miller presented a petition from sundry citizens of Marshall county, Indiana, asking the enactment of a law for the protection of fish.

Which was referred to the Committee on Rights and Privileges.

On motion by Mr. Ferguson,
Senate bill No. 109 was taken from the table and placed upon the files.

Mr. Williams moved that the Senate do now adjourn.
Which was not agreed to.

On motion by Mr. Anthony,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the special order of the day, being the majority report from a select committee, relative to the erection of a monument in memory of Jonathan Jennings.

On motion by Mr. Carnahan,
A call of the Senate was ordered,

The Secretary proceeded with the call, when the following Senators answered to their names :

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hull, Jones, Landers, Line, Lomax, March, Mellett, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, Williams and Wolfe—36.

Pending the call of the Senate,
On motion by Mr. Studabaker,
Mr. Johnston was granted leave of absence until to-morrow at 9 o'clock, A. M.

On motion by Mr. Wagner,
Mr. Conner was excused from the call.

On motion by Mr. Carnahan,
The further call of the Senate was dispensed with.

The amendment to the amendment offered by Mr. Miller having been accepted by Mr. Wagner, and

The question recurring upon the adoption of the amendment,
Mr. Wolfe moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Wagner and Conner,

Those who voted in the affirmative were,

Messrs. Blair, Carnahan, Claypool, Cobb, Ferguson, Hull, Jones, Landers, Line, Lomax, March, Ray, Robinson, Shields, Shoemaker, Stone, Studabaker, Tarkington, Williams and Wolfe—20.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Conner, Craven, Culver, DeHart, Grubb, Mellett, Miller, Newcomb, Steele, Teegarden, Turner and Wagner—15.

So the amendment was laid upon the table.

The question recurring upon the adoption of the majority report.

The ayes and noes having been demanded by Senators Williams and Wagner,

Those who voted in the affirmative were,

Messrs. Blair, Campbell, Carnahan, Cobb, DeHart, Ferguson, Jones, Landers, Line, Lomax, March, Miller, Ray, Shields, Shoulders, Slack, Steele, Studabaker, Tarkington, White, Williams and Wolfe—22.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Claypool, Conner, Craven, Culver, Grubb, Hull, Mellett, Newcomb, Robinson, Shoemaker, Stone, Teegarden, Turner and Wagner—18.

So the report was concurred in, and

Senate bill No. 244, "A bill providing for the erection of a monument over the remains of Jonathan Jennings, and making an appropriation therefor," contained in the foregoing report,

Was read a first time, and passed to a second reading on to-morrow.

The hour having arrived, the Senate resumed the consideration of the Special Order of the Day, being the resolution of Mr. Conner, instructing the Committee on Finance to inquire into the expediency of providing for remitting a suitable and proper amount of funds, to the Committee at Washington, appointed by the Governor of the State of Indiana, in pursuance of a resolution of the General Assembly of said State, to meet the Commissioners appointed on the part of other States to hold what is known as a "Peace Conference," to defray the personal expenses of said Commissioners, and their pro-

portion of the necessary expenses of the Conference, and that said Committee report by bill or otherwise.

The question being, shall the resolution be adopted?

On motion by Mr. Wagner,

The Senate took up House joint resolution No. 31.

House joint resolution No. 31. A joint resolution to provide for the appointment of a Commission to investigate and report on the fiscal affairs of the State.

The question being, shall the joint resolution be adopted?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, Lomax, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Tarkington, Teegarden, Wagner, White, and Wolfe—28.

Those who voted in the negative were,

Messrs. Carnahan, Landers, Line, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, and Williams—10.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

Senate bill No. 1. A bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State,

Being on its third reading,

Mr. March moved to recommit the bill to the Committee on the Judiciary with instructions to so amend the bill as to apply to County and Township officers,

Which was agreed to.

Senate bill No. 20. A bill supplemental to an act entitled "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859,

Was read a third time.

The question being, shall the bill pass?

Mr. Miller moved the previous question,
Which was not seconded by the Senate.

Mr. Wolfe moved to indefinitely postpone the bill.

The ayes and noes being demanded by Senators Anthony and Wagner,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Ferguson, Landers, Line, Lomax, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Williams, and Wolfe—14.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Grubb, Hull, Jones, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, and White—26.

So the bill was not indefinitely postponed.

Mr. Slack moved to amend the bill so as to provide an appeal to Common Pleas Courts.

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Newcomb, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Ferguson, Jones, Landers, Line, Lomax, Ray, Shields, Shoemaker, Shoulders, Slack, Studabaker, Williams, and Wolfe—15.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Mr. Slack moved to amend the title of Senate bill No. 20.

The title being, upon examination, found correct, it was not amended.

Senate bill No. 30. A bill to amend sections four, five, eighteen, twenty, twenty-one, and twenty-two of an act entitled "an act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, and repealing sections 29 and 30 of said act.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, DeHart, Grubb, Hull, Jones, Landers, March, Mellett, Miller, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, and Williams—29.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Craven, Ferguson, Line, Lomax, Newcomb, Shoulders, Slack, and Studabaker—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 40. A bill for the protection of fish, and defining the penalties for the violation of this act, and the recovery of said penalties.

Was read a third time.

Mr. Slack moved to recommit the bill with the following instructions:

Amend the first section, by inserting, in the proper place, or any other stream, bayou, or pond, in the State of Indiana.

Mr. Miller moved to recommit the bill, with instructions to except the St. Joseph and Kankakee rivers from the operation of the first section of the bill.

Mr. Cobb moved that the bill and pending instructions be indefinitely postponed.

The ayes and noes being demanded by Senators Carnahan and Line,

Those who voted in the affirmative were,

Messrs. Berry, Carnahan, Cobb, Jones, Landers, Lomax, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Teegarden, Turner, Williams, and Wolfe—18.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hull, Line, March, Mellett, Miller, Newcomb, Steele, Stone, Wagner, and White—22.

So the bill and instructions was not indefinitely postponed.

Mr. Line moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Craven and Line,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, Line, March, Mellett, Miller, Newcomb, Robinson, Stone, Teegarden, and Turner—21.

Those who voted in the negative were,

Messrs. Berry, Carnahan, Cobb, Jones, Landers, Lomax, Ray, Shields, Shoulders, Slack, Studabaker, Tarkington, White, Williams, and Wolfe—15.

So the motion to recommit was laid upon the table.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Claypool, Conner, Craven, Cravens, DeHart, Grubb, Hull, Line, March, Mellett, Newcomb, Steele, and Wagner—16.

Those who voted in the negative were,

Messrs. Berry, Campbell, Carnahan, Cobb, Jones, Landers, Lomax, Miller, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, and Wolfe—22.

So the bill failed.

Senate bill No. 54. A bill regulating docket fees of district attorneys in the Courts of Common Pleas, and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecutions on forfeited recognizances.

Was read a third time.

The question being, shall the bill pass?

Mr. Mellett moved to recommit the bill with the following instructions:

"To strike out all in relation to paying fees out of the county treasury."

Which was agreed to.

Senate bill No. 57. A bill to amend the first section of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 22, 1852, and to legalize the action of boards of county commissioners in regard to levying of poll taxes for county purposes, and declaring an emergency for the immediate taking effect of this act.

Was read a third time.

The question being, Shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Carnahan, Claypool, Cobb, Culver, DeHart, Ferguson, Landers, Line, Lomax, March, Mellett, Miller, Newcomb, Ray, Robinson, Shields, Shoulders, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wolfe—28.

Those who voted in the negative were,

Messrs. Beeson, Blair, Campbell, Hull, Jones, and Shoemaker—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Wolfe moved to amend the title by adding thereto the words "approved June 21, 1852,"

Which was agreed to.

BILLS INTRODUCED.

Leave being granted,

Mr. March introduced

Senate bill No. 245. A bill for the relief of Joseph Moore,
Which was read a first time, and passed to a second reading on to-morrow.

Leave being granted,

Mr. Hull introduced

Senate bill No. 246. A bill supplemental to an act entitled "an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859,

Which was read a first time and passed to a second reading on to-morrow.

A message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to bring to the Senate, for the signature of the President and Secretary thereof, enrolled joint resolution of the House No. 31.

House joint resolution No. 31. A joint resolution to provide for the appointment of a Commission to investigate and report on the fiscal affairs of the State.

The President and Secretary signed the joint resolution.

On motion by Mr. Slack,
The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
February 26, 1861. }

The Senate met.

On motion by Mr. Beeson,

The reading of the Journal of the preceding day was dispensed with.

By consent of the Senate,

Mr. Conner was permitted to record his vote upon the bill for the protection of fish.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Lomax presented memorials from sundry citizens of Indiana, on the State of the Union,

Which was referred to the Committee on Federal Relations.

Mr. Johnston presented the proceedings and resolutions of a meeting of the citizens of Clay county, Indiana, on the State of the Union,

Which was referred to the Committee on Federal Relations, without reading.

REPORTS FROM STANDING COMMITTEES.

Mr. Claypool, from the Committee on the Judiciary made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 167, being a bill concerning promissory notes, bills of exchange, bonds, and other instruments in writing, signed by any person who promises to pay money, acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned and repeal all laws coming in conflict therewith, have had the same under advisement, and have directed me to report the same back to the Senate, with the following recommendation:

Amend section sixteen, by striking out the words, to wit: "Or other instruments in writing," and when so amended, recommend its passage.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 235, a bill to prohibit clerks of the Circuit and Common Pleas Courts and their deputies and assistants, from practicing law in certain cases, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 8, being a bill providing for the allowance of compensation to clerks of the Circuit and Common Pleas Courts and sheriffs for extra services, and to repeal all laws inconsistent therewith, have had the same under consideration, and have directed me to report the back same and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 226, a bill to amend the 20th, 22d, 23d and 24th sections of the criminal practice act, and authorize district attorneys to administer oaths in certain cases, have had the same under consideration, and directed me to report the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House bill No. 39, being a bill to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent therewith, have had the same under consideration, and have directed me to report the same back for the action of the Senate, with the following amendment:

Amend the eleventh section by adding thereto the following words:

Provided, That nothing herein contained shall be so construed as to affect any county now fully organized under existing laws.

Mr. Slack moved to concur in the report of the Committee, with the following amendment:

Amend by adding to the section the following proviso:

Provided, That nothing herein contained shall, in anywise affect, hinder, or interfere with any proceedings heretofore commenced for the formation of a new county, or a change of county boundaries under the law now in force relative thereto; but said proceedings shall progress to a final termination in the same manner as if this act had not been passed.

On motion by Mr. Teegarden,
A call of the Senate was ordered.

The Secretary proceeded with the call, when the following Senators answered to their names:

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoulders, Slack, Steele Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—44.

Mr. Slack moved to suspend a further call of the Senate.
Which was not agreed to.

Mr. Hull moved that absentees be sent for.
Which was agreed to.

Mr. Tarkington moved to pass informally over the call, and reconsider the vote on Senate bill No.

Which was not agreed to.

Mr. Cobb asked the unanimous consent of the Senate to introduce a report from the Committee on the Organization of Courts.

Which was not agreed to.

Mr. Teegarden moved that the further call of the Senate be dispensed with.

Which was agreed to.

Mr. Hull moved to lay the amendment of Mr. Slack upon the table.

The ayes and noes being demanded by Senators Slack and Carnahan.

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Claypool, Cobb, Conley, Conner, Culver, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Newcomb, O'Brien, Robinson, Shields, Shoulders, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wilson—34.

Those who voted in the negative were,

Messrs. Anthony, Blair, Carnahan, DeHart, Odell, Ray, Slack and Wolfe—8.

So the amendment was laid upon the table.

Mr. Hull moved the previous question,
Which was seconded by the Senate.

The question being, shall the main question be put?
It was agreed to.

The question then being, shall the report of the Committee be concurred in?

It was agreed to.

Mr. Studabaker moved that the bill and amendments be considered as engrossed, and read a third time now.

Mr. Hull moved the previous question,
Which was seconded by the Senate,

The question then being, shall the bill be considered engrossed and read a third time now?

It was agreed to, and

House bill No. 39, contained in the foregoing report,
Was read a third time.

The question then being, shall the bill pass?

• Mr. Anthony moved to recommit with instructions to amend committee amendment by adding:

“Or any proceedings where the proposed new county to be formed under the acts heretofore in force, will contain over one thousand voters, nine-tenths of whom favor such new county.”

Mr. Mellett moved to lay the motion to recommit with instructions upon the table.

The ayes and noes having been demanded by Senators Anthony and Line,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Claypool, Cobb, Conley Conner, Culver, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, Mellet, Miller, Newcomb, O'Brien, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White and Wolfe—33.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Blair, Carnahan, Craven, DeHart, March, Slack, Tarkington, Williams and Wolfe—11.

So the motion to lay the motion to recommit upon the table prevailed.

Mr. Johnston moved the previous question,
Which was seconded by the Senate.

The question being, shall the main question be put?
It was agreed to.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Bearss, Beeson, Berry, Campbell, Claypool, Cobb, Conley, Conner, Culver, Ferguson, Grubb, Hull, Johnston, Jones, Landers,

Line, Lomax, Mellett, Miller, Newcomb, O'Brien, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—37.

Those who voted in the negative were,

Messrs. Anthony, Blair, Carnahan, Craven, Cravens, DeHart, March, Odell and Slack—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 43, "A bill to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent herewith," and sundry amendments thereto, have had the same under consideration, and have directed me to report the same back, with a recommendation that the same lie on the table, for the reason that the House bill on the same subject is now before the Senate for its action.

Which was concurred in.

Mr. Cobb, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 118, a bill to fix the time in the Circuit Courts in the Fourteenth Judicial Circuit, and repealing all laws in conflict therewith, have had the same under consideration, and direct me to report the following amendment, and with said amendment to recommend its passage, to wit:

Amend by striking out the first section thereof, and insert the following:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the Circuit Courts in the Fourteenth Judicial Circuit in the State of Indiana, shall hereafter be held as follows, namely: in the county of Owen, on the third Mondays of February and August, in each year; in the county of Morgan, on the first Mon-

days of March and September, in each year; in the county of Monroe, on the third Mondays of March and September, in each year; in the county of Greene, on the first Mondays of April and October, in each year; in the county of Brown, on the third Mondays of April and October, in each year. The said courts, if the business shall so long require, shall sit in the counties of Owen, Morgan, Monroe and Greene, two weeks each, and in the county of Brown, one week.

The report was concurred in, the amendment adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Mellett, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 204, a bill to amend the fifth section of an act to provide a treasury system for the State of Indiana for the manner of receiving, holding and disbursing the public money of the State, and for safe keeping of public moneys, have had the same under consideration, and have directed me to report it back and recommend that it be indefinitely postponed.

The report was concurred in, and the bill was indefinitely postponed.

Mr. Blair, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 55, an act to provide for stationery and postage for members of the General Assembly of the State of Indiana, to provide for employing reporters, and the publication of the proceedings of the Legislature in certain papers, and to provide for the taking of the same, have had the said bill under consideration, and have directed me to report the same back to the Senate, with the following amendments, and when so amended they recommend its passage, viz :

Strike out all of the first section after the enacting clause and insert the following :

That the sum of thirty dollars shall be paid to each member of the Senate and House of Representatives, at the commencement of each session thereof for the purpose of supplying them with stationery and newspapers, and for the payment of postage.

Strike out sections two and four of the bill and insert newspapers after the word "stationery," and strike out all after the word "Indi-

ana" in the title, and insert the following: "and to furnish stationery for the Secretaries and Clerks of the same."

The report was concurred in, the amendments adopted and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Conner, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 191, being an act to create the Sixteenth Judicial Circuit for the State of Indiana, having had the same under consideration, have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Beeson, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 238, a bill to amend the forty-second section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1859, have had the same under consideration, and direct me to report it back for the action of the Senate, without any recommendation on the part of the Committee.

On motion,

The bill was ordered to be engrossed, and read a third time on to-morrow.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the special order of the day, being the report of the Committee of the Whole Senate, embodying Senate bill No. 217, with the amendments proposed thereto, which had been made the special order for to-day, at ten o'clock, A. M.

On motion by Mr. Slack,

The further consideration thereof was postponed until two o'clock, P. M., to-day, and made the special order for that hour.

Mr. Shields, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to which was referred Senate bill No. 231, a bill to amend section sixty-eight of an act entitled "An act to amend an act entitled 'an act to repeal all laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,' approved March 9, 1859, and to provide for a penalty upon city taxes remaining delinquent after the third Monday of March, A. D. 1859," approved March 1, 1859, have had the same under consideration, and directed me to report it back, without amendment, and recommend its passage.

The report was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Jones,

Resolved, That the Committee on the Judiciary be instructed to inquire and report to the Senate at an early day,

First. Whether the number of negroes and mulattoes in the several counties in this State are embraced in the census report upon which an apportionment of Senators and Representatives is proposed to be made.

Second. Whether such apportionment, when made, if based on the number of all the inhabitants of the State, negroes and mulattoes included, would be in conformity with the Constitution on the question of apportionment of Senators and Representatives.

Third. Whether this Legislature can, in conformity with section 4 and 5, article 4, of the Constitution, apportion this State for Senatorial and Representative purposes, during the present session of the Legislature.

Mr. Craven, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations to whom was referred Senate bill No. 50, "A bill to amend the 59th section of an act, entitled 'an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,' ap-

proved March 9th, 1857," have had the same under consideration, and have recommended me to amend said bill by striking out all after the words "he and the same is hereby amended to read as follows, to-wit:" and insert the following:

Section 59. The common council shall have exclusive power over the streets, highways, alleys and bridges within such city, and to lay out, survey and open new streets and alleys, and straighten, widen, and otherwise alter those already laid out, and to make repairs thereto, and to construct and establish side-walks, crossings, drains and sewers, and in addition thereto, may construct or keep in repair any free turnpike leading into such city, and lying within the limits of the township within which such city is situate; and for such purpose may levy a tax upon the residents and upon the property within the limits of such city. *Provided*, That the ratio of tax so levied as aforesaid shall not exceed in amount the tax which other tax payers residing in such township shall pay for road purposes. They may also cause buildings, structures or other things in the way of any street or other public improvement to be taken down, removed and appropriated upon the payment of damages as hereinafter provided; and no person residing in said city shall be required or compelled to work on any road without the city; nor shall any property lying or being within the city be taxed for the purpose of working, opening, improving or repairing any road or bridge without the limits of such city, except for the purpose of constructing or keeping in repair free turnpikes as aforesaid; and the common council may exercise all the powers of township trustees, and the street commissioners, under the direction of the common council, may perform all the duties and exercise all the powers of supervisors of highways, in reference to road labor, tax or two days by each person liable to work on the roads in townships, and shall be governed by the same rules and regulations in reference to the collection and enforcement of the same, or any person so liable to work may be discharged therefrom on the payment of one dollar and fifty cents per annum.

And when so amended to recommend its passage.

The report was concurred in, the amendments adopted, and the bill was ordered to be engrossed, and read a third time on to-morrow.

Mr. Beeson, from the Committee on Corporations made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 145, "A bill for the incorporation of companies, for agricultural, horticultural and nursery purposes," have had the same under consideration, and deem it inexpedient to legislate upon the subject, and direct me to report it back, and recommend it lay on the table.

S. J.—40.

On motion by Mr. Newcomb,
The bill was referred to a Select Committee of three.

The President appointed Senators Newcomb, Craven and Claypool said Select Committee.

Mr. Craven, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations to whom was recommitted Senate bill No. 48, "A bill to provide compensation to owners of animals killed or injured by the cars, locomotives, or other carriages of any railroad company in this State with sundry instructions, have had the same under consideration, and have recommended me to amend the first section by adding the following language to said section :

"Actions brought under the provisions of this act shall be governed by the same rules as to jurisdiction and the taxation of costs so far as relates to the amount in controversy, as govern in other civil actions," and when so amended recommend its passage.

They have also recommended me to report back the other instructions, and recommend that said instructions lie upon the table.

The report was concurred in, the amendments adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. White, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 130, "A bill to amend section eleven of an act, entitled 'an act touching the laying out and vacating towns, streets and public squares, or any part thereof, the making out and recording the plats of such towns, and providing for the change of the names of such towns,'" have had the same under consideration, and recommend that it lay on the table.

Which was concurred in.

Mr. Mellett, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate resolution No. 61, inquiring as to the powers and duties of certain officers of State in the matter of fees, have had the same under considera-

tion, and have directed me to report the same back, and recommend that it be referred to the Judiciary Committee, with instructions to said committee, if deemed necessary by them, to report a bill to the Senate, carrying out the object contemplated by said resolution.

Which was concurred in.

Mr. Wagner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 224, a bill to provide for the investment of the Sinking Fund in Indiana five per cent. and two and a half per cent. State Stocks, have had the same under consideration, and recommend the following amendment:

Insert in the seventh line, after the word commissioners, except so much thereof "as may be needed" for the payment of the interest on the Bank bonds, or for the purchase of such bonds on the best terms practicable, or the redemption thereof when due.

And when so amended, recommend its passage.

Mr. Studabaker moved to indefinitely postpone the bill and report.

Mr. Conley moved the previous question,
Which was seconded by the Senate.

The question being, shall the main question now be put?
It was agreed to.

The question recurring upon the motion to indefinitely postpone,

The ayes and noes having been demanded by Senators Slack and Studabaker,

Those who voted in the affirmative were,

Messrs. Berry, Carnahan, Cobb, Conley, Conner, Craven, Culver, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Robinson, Shoemaker, Shoulders, Slack, Stone, Studabaker, Tarkington, Teegarden, Turner, Williams, Wilson, and Wolfe—30.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Claypool, Cravens, DeHart, March, Mellett, Newcomb, Shields, Steele, and Wagner—14.

So the bill and report were indefinitely postponed.

Mr. Wagner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 115, a bill to amend the second and fifth sections of an act entitled "an act to authorize the commissioners of the sinking fund to receive substitutions of stock mortgages, and for other purposes," approved January 28, 1857, and containing some provisions respecting the reinstating of mortgages given for loans made for the sinking fund, or any fund loaned by the Auditor or Treasurer of State, and of sales made on account of any of said funds, and respecting the safety, collection, and control of said funds, the time and place and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendments, and when the said amendments are made, to recommend its passage:

1st. Strike from the sixty-fourth line of the first section, counting from the beginning of the enacting clause the word "fifth," and insert sixth.

2d. Strike out the word "recorded" from the thirty-fourth line of the seventh section, and insert the word "recovered."

3d. Add to the eighth section the following words: "All interest that shall accrue on any deposit of sinking fund shall be carried into the fund, and become a part thereof."

4th. Amend the eighth section further by inserting between the word "bonds" in the twelfth line, and the word "they" in the thirteenth line, the words "or other purposes of law."

5th. Any person who may, at any time, hold a certificate of purchase, may assign or transfer the same, and the bond of the assignee, with ample security, may be taken in place of the bond of the assignor or purchaser, where the sinking fund commissioners, or other officers controlling the fund on account of which sale was made, believe the fund will receive no detriment from such substitution, and the liability of such substituted person shall be the same as that of the purchaser, but he shall not be entitled to a deed until he shall make full payment, or entitle himself to a deed by the substitution of a mortgage, as now provided by law.

SECTION 11. The mortgages upon which county auditors shall hereafter make loans, may contain a provision that the mortgagor shall give new mortgage with additional and ample security whenever notified by the auditor that the property embraced in the first mortgage, is inadequate, and that the whole debt shall instantly fall due for failure to do so. Where the interest is punctually paid, and

the security is ample, such debt shall not be collected before the maturity thereof.

SECTION 12. It is hereby declared that an emergency exists for the immediate going into effect of this act, and that it shall take effect and be in force from and after its passage.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

By consent.

Mr. DeHart presented a petition from sundry citizens of Carroll county, Indiana, asking the enactment of a law to authorize the establishment of additional Branches to the Bank of the State of Indiana,

Which was referred to the Committee on Banks.

Mr. Newcomb presented a petition from sundry members of the bar of the State of Indiana, asking the enactment of a law giving to attorneys a lien upon judgments for their fees,

Which was referred to a Select Committee.

The President appointed Senators Newcomb, Cobb and March, said Select Committee.

BILLS INTRODUCED.

By consent.

Mr. Ray introduced

Senate bill No. 247. A bill to create the Twenty-second District of the Court of Common Pleas, and to attach the county of Washington to the Common Pleas District composed of the counties of Jennings, Lawrence and Jackson, to fix the time of holding courts therein, to regulate the return of process and to repeal all laws in conflict therewith,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Tarkington, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred Senate bill No. 100, a bill to create the Fourteenth Judicial Circuit, have directed me to strike out the county of Lawrence, and after so amended, to report the same back and recommend its passage.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 237, a bill to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justices of the peace, constables, and all other officers who collect money by virtue of their office and executors, administrators, guardians, and trustees, and providing for the indemnification of such officers and persons, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendment, to wit: Strike out the second section, and when so amended, recommend its passage.

The report was concurred in, the amendment adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Robinson, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the petition of Anderson W. Davis, have had the same under consideration, and have directed me to report the same back and recommend that the petition lay on the table,

Which was concurred in.

Mr. Culver, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to which was referred Senate bill No. 194, being a bill empowering county commissioners of the several counties of this State to employ any competent person to investigate the books, vouchers, &c., of the several county auditors and treasurers of the State, have had the same under consideration, and desire it reported back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. DeHart, Chairman of the Committee on Printing, made the following report

MR. PRESIDENT :

The Committee on Printing, to whom was referred Senate resolution requiring inquiry into the expediency of making it the duty of the State Printer to furnish all stationery necessary for the printing purposes of the State, and to report by bill or otherwise, have considered the same, and direct me to report the accompanying bill and recommend its passage.

The report was concurred in, and

Senate bill No. 248, a bill to amend the third and fourth sections of "an act fixing the time and mode of electing State Printer, defining his duties, fixing compensation and repealing all laws coming in conflict with this act, passed March, 1859, requiring State Printers to furnish all stationery necessary for the State printing, allowing him the current wholesale price therefor at the time of furnishing the same, and requiring him to furnish quarterly to the Secretary of State a specific statement, verified by affidavit, of the quality and price of all stationery so furnished, and all work done by him for the State, therein contained,

Was read a first time, and passed to a second reading on to-morrow.

Mr Culver, from the Committee on Printing, made the following report :

MR. PRESIDENT :

The Committee on Printing, to whom was referred sundry resolutions inquiring into the expediency of abolishing the office of State Printer and letting the work to the lowest responsible bidder, have had the same under consideration, and direct that they be reported back to the Senate as inexpedient.

On motion by Mr. Wolfe,

The report was laid upon the table until a minority report could be presented.

Mr. Line, from a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee, to whom was referred Senate bill No. 210, "An act to aid in the collection and preservation of historical materials relating to the early settlement of Indiana," have had the same under consideration, and a majority of said committee have directed me to make the following report :

"Amend section first, line four, by filling up the blank in said line with "five hundred dollars," and when so amended the majority of said committee recommend its passage.

The report was concurred in, the amendment adopted, and the bill was ordered to be engrossed, and read a third time on to-morrow.

Mr. Bearss, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred the petition of sundry citizens of Miami county, asking a change of the law requiring a license from exhibitions, shows, &c.," have had the same under consideration, and directed me to report the accompanying bill, and recommend its passage:

Senate bill No. 249. An act to amend the first section of "An act to amend the first section of an act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show, and legerdemain;" approved June 15th, 1852, and for the encouragement of agriculture, and concerning the licensing of stock and exchange brokers," approved March 7, 1851, contained in the foregoing report,

Was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Bearss,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the special order of the day, being the minority report from the Committee on Federal Relations, which had been made the special order for this hour.

Mr. Williams offered the following amendment to the report:

Strike out and insert :

Resolved, By the Senate and House of Representatives that our Commissioners at the Peace Congress now in session, be, and they are hereby instructed to vote for what is known as the Crittenden plan of adjusting our difficulties with the South, or some other equally fair and honorable plan of adjustment.

Mr. Newcomb moved to postpone the consideration of the report and amendment thereto, until Saturday week, at 10 o'clock, A. M.

Mr. Line moved to amend the motion to postpone by inserting Tuesday March 5th, 1861, at 7½ o'clock, P. M.

The ayes and noes being demanded by Senators Conley and Studabaker,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hamilton, Hull, Jones, Line, March, Mellett, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Johnston, Landers, Lomax, Murray, Ray, Shields, Shoemaker, Shoulders, Studabaker, Tarkington, Williams and Wolfe—15.

So the motion to postpone until Tuesday, March 5th, 1861, at 7½ o'clock, P. M., prevailed.

Mr. Wagner, from the Committee on Finance, made the following report:

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 114, "A bill for the relief of borrowers of sinking fund, surplus revenue fund, saline fund, Congressional school fund, and other funds, and to repeal a certain act therein named, and prescribing how mortgages may be substituted, and matters properly connected therewith," have had the same under consideration, and have instructed me to report the same back with the following amendments, and when so amended to recommend its passage :

First. Amend the title so that it shall read "An act for the relief of borrowers of the sinking fund, and to repeal the fourth section, and so much as applies to the sinking fund of the whole act, entitled 'An act to extend to borrowers of the sinking fund, surplus revenue fund, Congressional school fund, and other funds, time of payment of loans, and prescribing the duties of the officers in regard thereto,' approved March 3d, 1859; and prescribing how mortgages may be substituted, and containing some provisions respecting the sinking fund, and its control and management, and matters properly connected therewith."

Second. Amend the first section by striking out the words "surplus revenue fund, Congressional school fund, saline fund, or other trust or public funds loaned in this State, or any county thereof."

Third. Strike from the first section, from the 15th, 16th and 17th lines after the enacting clause the words "or before the maturity of the mortgage or obligation made for the loan," and insert instead thereof the following: "the day in the year one thousand eight hundred and sixty-three, (1863,) corresponding as to the month and day of the month with the date of the mortgage."

Fourth. Amend the first section further by inserting between the word "paid" and the word "in," in the 10th line from the enacting clause, these words: "as to the principal, *Provided*, the interest be annually paid for one year in advance, and paid at the appropriate time."

Fifth. Amend the first section further by inserting between the word "paid" and the word "in," in the 30th line after the enacting clause these words: "as to the principal, *Provided*, the interest be annually paid for one year in advance, and paid at the appropriate time."

Sixth. Amend the first section further by striking out from the 34th, 35th, 36th, 37th and 38th lines after the enacting clause the following words: "on or before the expiration of the time for which interest in advance has, or before the taking effect of this act, may be paid," and insert instead thereof: "at the time the first installment is above required to be paid on loans not now due."

Seventh. Amend the fifth section by making it repeal the fourth section of the act therein named, and so much of the remainder of said act as applies to the sinking fund.

The report was concurred in, the amendments adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Conner, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 212, being an act fixing the time of holding the Circuit Courts in the sixteenth judicial circuit, and repealing all laws in conflict therewith, having had the same under consideration, have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the report from the Committee of the Whole Senate, embodying Senate bill No. 217, and the amendments thereto, as recommended by the committee, which had been made the special order for 10 o'clock to-day, but which had been again postponed and made the special order for 2 o'clock P. M. to-day.

The question being, shall the proposed amendments to Senate bill No. 217 be adopted?

The first amendment reported to section three was adopted, with the substitution of the word "and" for the word "provided."

The second proposed amendment to section three was adopted.

The proposed amendment to section four was adopted.

The amendment proposed to section six of the bill was adopted.

The proposed amendment to section nine being under consideration,

The question being, shall the amendment be adopted?

The ayes and noes being demanded by Senators Studabaker and Johnston,

Those who voted in the affirmative were,

Messrs. Berry, Carnahan, Claypool, Cobb, Conley, Conner, De Hart, Johnston, Jones, Lomax, Odell, Ray, Robinson, Shields, Steele, Turner, Wagner, White, Williams, and Wilson—20.

Those who voted in the negative were,

Messrs. Beeson, Blair, Craven, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Line, March, Mellett, Miller, Murray, Shoemaker, Shoulders, Stone, Studabaker, Tarkington, Teegarden, and Wolfe—22.

So the amendment was not adopted.

The question then recurring upon concurring in the report of the Committee of the Whole Senate,
It was concurred in.

Mr. Claypool offered the following amendment:

Amend section one, by adding thereto the following:

“Provided, that the funds so raised shall be retained and expended in the county where the same are raised.”

The question being, shall the amendment be adopted?

The ayes and noes being demanded by Senators Johnston and Carnahan,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Carnahan, Claypool, Conner, Culver, De Hart, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Mellett, Ray, Steele, Wagner, and Williams—19.

Those who voted in the negative were,

Messrs. Blair, Cobb, Conley, Craven, Dickinson, Grubb, Hull, March, Miller, Murray, Odell, Robinson, Shields, Shoemaker, Shoulders, Stone, Studabaker, Tarkington, Teegarden, Turner, and Wolfe—21.

So the amendment was not adopted.

Mr. Wolfe moved to recommit the bill, with the following instructions:

Amend as follows:

Section two, thirteenth line, before the word “unclaimed,” insert the words “interest derived from.”

Same section, line 17, before the word “whole,” insert the words “the interest derived from the.”

Same section, add to the end thereof these words—"of the principal of such fund."

Section seven, sixth line, after the word "require," add the following:—"and on such settlement, such trustee shall render an account current, with the proper vouchers, and his charges for services in writing, which account, vouchers, and charges shall be verified by affidavit."

Section twelve, fifth line, strike out the words "having charge of such children," and insert the words, "or who are tax-payers, whether they have children to enumerate or not."

Same section, line fourteen, strike out the words "having charge of children."

Same section, line thirteen, after the word "act," insert "and every third year thereafter."

Same section, line seventeen, after the word "allowed," insert the words "for three years;"—same line, strike out the word "themselves," and insert the words "himself or herself."

Same section, lines 20 and 21, strike out the words, "or whose children have become liable to be enumerated for the first time."

Section thirteen, third line, after the word "enumerated," insert the words "or subsequently by the consent of the trustees, as provided for in the last preceding section."

Section fourteen. Add to the end of said section the following:

"*Provided*, such transfer shall only be made at the time, or for good cause shown, as provided in section twelve of this act."

Section 15, lines first, second, sixth, and seventh—in each of said lines, after the word "township," insert the following words, "incorporated town or city."

Section 28, fourth line, strike out the words "the inhabitants attached to any school, and insert the words "such voters."

Same section, sixth line, before the word "petition," strike out the words "such voters."

Section 33. After the word "law," in the fifth line, insert the following—"which oath shall be filed in the office of the county auditor."

Section 118, last line, after the word "postmaster," insert the words "verified by oath or affirmation."

Mr. Wagner moved to lay the motion to recommit upon the table,
Which was agreed to.

Mr. Craven offered the following amendment to the bill :

Add to the fourteenth section :

And it shall be lawful for the trustee of the township to which such territory may be transferred, to locate and build school houses upon any territory of such adjoining township so transferred, the

same as if such territory was a part of the civil township to which the same is attached,

Which was agreed to.

Mr. Miller offered the following amendment :

The director so elected shall, within ten days after said election, notify the trustee of his election, and in case of failure to elect, the trustee shall forthwith appoint a director of said school, but any director so appointed, may be removed upon a petition of three-fourths of the persons attached to said school, who are entitled to vote at school meetings,

Which was agreed to.

Mr. Blair offered the following amendment :

Insert after the word "apportioned" in the fifth line of section twenty-six, the following : "To fill all vacancies that may occur in the office of director,"

Which was agreed to.

Mr. Line offered the following amendment :

Section twenty-seven, line three, after the word erection, "Or the sale of any old school house and the grounds belonging thereto,"

Which was agreed to.

Mr. Miller offered the following amendments :

Amend section 12 :^{*} Change the first word "each" "to the."

Fourteenth line of the same section, strike out the word "the person" and insert "all persons."

Sixteenth line of the same section, after "and persons" add "together with the legal voters hereinafter provided for."

Seventeenth line of the same section, strike out words "no one" and insert "none."

Add the following to the section : "And provided further, that any legal voter, whether having the charge of children or not, may attach himself to any school by making a request therefor upon the trustee, at any time before closing the enumeration,"

Which was agreed to.

Mr. Landers moved to reconsider the vote by which the motion to recommit the bill, with instructions, was laid upon the table.

Mr. Line moved to lay the motion "to reconsider the motion to recommit" upon the table,

Which was agreed to.

Mr. Murray moved to recommit the bill, with the following instructions :

Moved to amend section twenty-six :

Provided, it shall not be obligatory upon the trustee to build, remove, or repair school houses, according to a vote of the district, if in his judgment, the cost of said building, removal or repairs shall exceed in amount what is absolutely necessary for the purpose contemplated by such vote.

Mr. Wolfe moved the following additional instructions :

Section two : Add to the end thereof these words, "of the principal of such fund."

Section seven, sixth line, after the word "require," add the following: "And on such settlement, such trustee shall render an account current, with the proper vouchers, and his charges for services in writing, which account, vouchers and charges, shall be verified by affidavit."

Section twelve, fifth line, strike out the words "having charge of such children," and insert the words, "or who are taxpayers, whether they have children to enumerate or not."

Same section, fourteenth line, strike out the words, "having charge of children."

Same section, thirteenth line, after the word "act" insert, "and every third year thereafter."

Same section, seventeenth line, after the word "allowed" insert the words, "for three years."

Same line, strike out the word "themselves," and insert the words "himself or herself."

Same section, line twentieth and twenty-first, strike out the words, "or whose children have become liable to be enumerated for the first time."

Section thirteen, third line after the word "enumerate," insert the words, "or subsequently by the consent of the trustees, as provided for in the last preceding section."

Section fourteen, add to the end of said section the following: *Provided*, such transfer shall only be made at the times or for good cause shown, as provided in section twelve of this act."

Section fifteen, first, second, sixth and seventh line, in each of said lines, after the word "township," insert the following words: "incorporated town or city."

Section twenty-eight, fourth line, strike out the words "the inhabitants attached to any school," and insert the words, "such voters."

Same section, sixth line, before the word "petition," strike out the words, "the inhabitants," and insert the words, "such voters."

Section thirty-three, after the word "law" in the fifth line, insert

the following: "which oath shall be filed in the office of the county auditor."

Section one hundred and eighteen, last line after the word "postmaster," insert the words verified by "oath or affirmation."

Mr. Studabaker offered the following additional instructions:

In section seventy-eight, strike out "ten" and insert "seven."

The question recurring upon the motion to recommit the bill, with the pending instructions,

It was agreed to.

On motion by Mr. Carnahan,

The following resolution, which had been laid over one day, under the rule, was taken up:

Resolved, That during the remainder of this session the Senate will meet at 8½ o'clock, A. M., and 1½ o'clock, P. M., on each day.

The question being, shall the resolution be adopted?

It was not agreed to.

The President announced the following Committee, on the part of the Senate, on joint resolution respecting the State indebtedness: Messrs. Lomax, Claypool, and DeHart.

Select Joint Committee on Congressional Apportionment on the part of the Senate: Messrs. Mellett, Wagner, Bearss, Wolfe and Studabaker.

On motion by Mr. Conley,
The Senate adjourned.

WEDNESDAY MORNING, 9 o'CLOCK, }
February 27, 1861.

The Senate met.

On motion by Mr. Blair,

The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Berry presented a petition from sundry citizens of Rush county, Indiana, asking the repeal of the charter of the Carthage and Knights-town turnpike company,

Which was referred to the Committee on Corporations :

Mr. Murray presented a petition from sundry citizens of the State of Indiana, asking the enactment of a law for the protection of sheep from dogs,

Which was referred to the Committee on Agriculture.

Mr. Conley presented a memorial from sundry citizens of Indiana, on the State of the Union,

Which was referred to the Committee on Federal Relations.

Mr. Landers presented a memorial from sundry citizens of the State of Indiana on the state of the Union,

Which was referred to the Committee on Federal Relations.

Mr. Craven presented petitions from sundry citizens of Indiana, asking that an appropriation be made for the relief of the suffering in Kansas,

Which was referred to the Committee on Finance.

Mr. Shoemaker presented a memorial from sundry citizens of Indiana, on the state of the Union,

Which was referred to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. March, from the Committee on the Judiciary, made the following report :

S. J.—41.

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 1, a bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State, with instructions to so amend the bill as to make it apply to county and township officers only, have discharged the duty assigned them, and direct me to report the same back with the following amendments:

First. Strike out the seventh, eighth and ninth lines, and the words "officer or" in the tenth line of the first section.

Second. In the thirty-sixth line of said section, before "property" insert other."

After the word money in said line insert "funds, securities."

After the word property in said line insert the following: "When demanded by any officer or person entitled to receive the same."

Strike out "any" in said line, and all of the thirty-seventh line.

Third. In the forty-fourth line, strike out "State or."

Strike out all of the forty-sixth line except "county."

Fourth. Strike out all of the first line in the second section except the word "if."

Strike out the second word "State" in the third line.

Strike out all between "hands" in the seventh line and "in" in the eighth line.

Fifth. From the third section, strike from the first and second lines the words "The Treasurer of State or."

Sixth. Strike out all of the first line of the fourth section except "if," and the first word "or" in the second line.

Strike out all between "creditor" in the sixth and "of" in the seventh lines.

Seventh. Strike out the fifth section.

Eighth. Strike out all between "the" in the first line and "treasurer in the second line of the sixth section."

Ninth. Strike out all of the first line of the seventh section, except "if."

Strike out all of the seventh line.

The report was concurred in, the amendments were adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Anthony, from the Committee on State Prison, made the following report:

MR. PRESIDENT:

The Committee on State Prison, to which was referred Senate bill No. 222, a bill to provide for the government and discipline of State Prisons, and to repeal an act entitled "an act to provide for the government and discipline of the State Prison," approved February 5, 1857, together with so much of an "act to provide for the erection of a new prison north of the National road, elect officers thereof, make appropriations, and for the regulation of the same, approved March 5, 1859, as may come in conflict with this act, and all other laws and parts of laws inconsistent with the provisions of this act, have had the same under consideration, and direct me to report the same back and recommend its passage, with the following amendments:

Amend section second by striking out all down to the words, "when any vacancy," and insert in their place the following:

SECTION 2. That there shall be elected by the General Assembly of the State of Indiana, at the present session thereof, (five directors, one of whom designated at the time of his election shall be President of the Board who shall have the control of the two State Prisons; two of said directors shall reside north and two south of the National road. One of said directors north and one south, with the President, shall hold their offices for the term of four years, the first term commencing from and after the first day of April, 1861, and one of said directors north and one south shall hold their offices for the term of — years, said first term to commence from and after the first day of April, 1861, all of said officers to hold until their successors are elected or appointed and qualified. After the first election of directors as aforesaid, as the term of office of any directors shall expire, his successor shall be elected in like manner for the term of four years, to commence from the expiration of the term of his predecessor, and to hold until his successor is elected or appointed and qualified.

Amend section third by striking out \$800,00, where it occurs, and inserting in its place \$700,00.

Amend the third line of section six, by striking out "eight" and inserting "five."

Amend the eighth line of said section, by striking out "one thousand" and inserting "eight hundred."

Amend by adding the following section:

SECTION —. That it is hereby made the duty of the Warden of each prison to provide a register, in which shall be entered the names of all convicts, except those imprisoned for life, and on which shall be kept an accurate account of the conduct of such convict; that at the end of each month, such Warden shall give a certificate of good conduct to such convicts as may be entitled thereto; that if any convict who has received such certificate, shall thereafter, in the opinion of such Warden, be guilty of bad conduct, such bad convict shall forfeit and cancel the certificate given for the previous month, and that there shall be deducted from the term of service of each convict, for each certificate such convict may have, one day for each month for the first year, two days for each month of the second year, three days for each month of the third year, adding one additional day to the deduction of each month for each additional year, and such Warden shall discharge such convict whenever his term of service has expired, after deducting therefrom the number of days to which such convict shall be entitled, by virtue of his certificates of good conduct.

Mr. Line moved to concur in the report of the Committee with the following amendment:

Insert in its proper place, elect three directors, one of which shall act as President, who shall serve two, four and six years from and after the first day of April, 1861, their respective terms of service to be determined by lot, and shall discharge the several duties as prescribed in this act.

Pending the consideration of which,

On motion by Mr. Anthony,

A call of the Senate was ordered.

The Secretary proceeded with the call, whereupon the following Senators answered to their names:

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Robinson, Shields, Shoemaker, Shoulders, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams, and Wilson—37.

Pending the call of the Senate, Mr. Campbell was excused from the call.

On motion by Mr. Shields,

The further call of the Senate was dispensed with.

Mr. Hamilton moved to lay the bill and pending amendments upon the table.

The ayes and noes having been demanded by Senators Cobb and Anthony,

Those who voted in the affirmative were,

Messrs. Beeson, Carnahan, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Shields, Shoemaker, Shoulders, Studabaker, Tarkington, Williams, and Wilson—17.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Berry, Blair, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, March, Mellett, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—22.

So the motion to lay upon the table did not prevail.

Mr. Hamilton moved to postpone the further consideration of the subject until Saturday next.

Mr. Anthony moved to lay the motion to postpone upon the table, Which was agreed to.

The question recurring upon the amendment offered by Mr. Line,

Mr. Anthony moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Anthony and Line,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Murray, Newcomb, Robinson, Steele, Teegarden, Turner, and White—19.

Those who voted in the negative were,

Messrs. Beeson, Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Shields, Shoemaker, Shoulders, Stone, Studabaker, Tarkington, Williams, Wilson, and Wolfe—22.

So the motion to lay the amendment upon the table did not prevail.

Mr. Anthony moved to lay the report embodying Senate bill No. 222, with the pending amendments, upon the table, and make it the special order for 2 o'clock, P. M., to-day,

Pending which,

Mr. Tarkington moved to recommit, with instructions, "to strike out five and insert three Directors."

Mr. Anthony moved to lay the motion to recommit with instructions upon the table.

The ayes and noes having been demanded by Senators Anthony and Tarkington,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—22.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Shields, Shoemaker, Shoulders, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

So the motion to recommit with instructions was laid upon the table.

Mr. Tarkington moved to recommit, with instructions to so amend the bill that the present directors in the Jeffersonville prison shall be continued in office for the time for which they were elected.

Mr. Murray moved to lay the motion upon the table.

The ayes and noes having been demanded by Senators Murray and Tarkington,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, and White—23.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Shields, Shoemaker, Shoulders, Studabaker, Tarkington, Williams, Wilson, and Wolfe—18.

So the motion to lay the motion to recommit upon the table, prevailed.

The question recurring upon the motion to postpone,

On motion by Mr. Tarkington,

The whole subject-matter was postponed until to-morrow at 10 o'clock A. M., and made the special order for that hour.

Mr. Shields, from the Committee on Swamp Lands, made the following report:

MR. PRESIDENT:

The Committee on Swamp Lands, to whom was referred Senate bill No. 87, "an act for the relief of sundry citizens of Jackson and Washington counties," have had the same under consideration, and instructed me to report the same back, with the following amendments, and recommend its passage:

Amend section first, by filling the first blank therein by inserting "one thousand dollars," and by filling the second blank therein by inserting "five hundred dollars," and by striking out the words "said county" in parenthesis, and insert instead thereof "the county of Jackson."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed, and read a third time to-morrow.

Mr. Conner, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 120, a bill supplemental to an act entitled "an act to repeal all general laws now in force for the incorporation of cities, to prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time to-morrow.

Mr. Newcomb, chairman of a select committee, made the following report:

MR. PRESIDENT:

The select committee, to which was referred the petition of divers attorneys of Laporte county, praying for the passage of a law giving attorneys a lien in certain cases, have had the same under consideration, and believing that the prayer of the petitioners is reasonable and ought to be granted, have instructed me to report the following bill, and recommend its passage.

The report was concurred in, and

Senate bill No. 250, "a bill authorizing liens in favor of attorneys and counsellors at law, in certain cases" therein contained,

Was read a first time, and passed to a second reading on to-morrow.

BILLS INTRODUCED.

Mr. March introduced

Senate bill No. 251. A bill to ascertain the amount of the fees and salaries of the clerk of Supreme, Circuit, and Common Pleas Courts of this State, of the sheriff of the Supreme Court, and of the various counties in this State, of county auditors, treasurers, and recorders, and providing punishment for a violation of its provisions.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Conner introduced

Senate bill No. 252. A bill to authorize the construction of levees and drains, in the improvement of any river, creek, or other water-course.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Conley introduced

Senate bill No. 253. A bill to provide a more just and humane system of medical attention to paupers in townships, county asylums, or county jails, and to repeal all laws, or parts of laws, in conflict therewith.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Newcomb moved to pass informally over the order of business, and take up bills on their third reading.

Which was not agreed to.

Mr. Wolfe introduced,

Senate bill No. 254. A bill to provide for taking an enumeration of the white male inhabitants of the State of Indiana over the age of twenty-one years; and defining the duties of certain officers in relation thereto.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cobb introduced,

Senate bill No. 255. A bill to amend section 18 of an act, entitled "An act prescribing the powers and duties of justices of the peace," approved May 29th, 1852.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cobb moved that the order of business be suspended, and the bill read a second time now.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Blair, Carnahan, Cobb, Conley, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, Murray, Newcomb, Ray, Shields, Shoemaker, Slack, Steele, Studabaker, Teegarden, Turner, White, Williams, Wilson and Wolfe—28.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Claypool, Conner, Craven, Cravens, Culver, Dickinson, March, Mellett, Robinson and Stone—14.

So the order of business was not suspended.

Mr. Jones introduced,

Senate bill No. 256. An act to provide for the confession of judgments in courts of record upon certain conditions therein named, and to enable parties in civil suits in the courts of this State to have judgment without filing a declaration other than the instrument upon which judgment is asked.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Cobb introduced,

Senate bill No. 257. A bill to amend section 2d of an act, entitled "An act to provide for treasury system for the State of Indiana; for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe-keeping of public moneys.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Wolfe introduced,

Senate bill No. 258. A bill to amend section 105 of an "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal cases in the courts of this State," approved June 17, 1852.

Which was read a first time and passed to a second reading on tomorrow.

Mr. Shoemaker introduced,

Senate bill No. 259. A bill to amend sections 78, 79, 94, 95, 123, 136, 142 and 143, of an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State." Approved June 21st, 1852.

Which was read a first time, and passed to a second reading on tomorrow.

Mr. Shoemaker moved to suspend the rules, and read the bill a first and second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Studabaker, Teegarden, Turner, White, Williams, Wilson; and Wolfe—37.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Berry, Craven, Stone—5.

So the rules were suspended, and the bill read a first time by its title.

The rules being suspended, the bill was read a second time by its title, and referred to the Committee on Finance.

Mr. Line moved to suspend the order of business, and take Senate bill No. 8 from the table.

The ayes and noes being demanded by Senators Slack and Conley,

Those who voted in the affirmative were,

Messrs. Carnahan, Conley, Hamilton, Hull, Landers, Line, Lomax, Ray, Robinson, Shoulders, Slack, Steele, Studabaker, Turner, White, Williams, Wilson, and Wolfe—18.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Cobb, Conner, Craven, Cravens, DeHart, Grubb, Johnson, Jones, March, Mellett, Murray, Newcomb, Shields, Stone, and Teegarden—21.

So the order of business was not suspended.

ORDERS OF THE DAY.

Senate Bills on Third Reading.

Senate bill No. 65. A bill to dispense with the selecting and summoning a petit jury for Courts of Common Pleas, where the business does not require it,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, DeHart, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, March, Murray, Newcomb, Ray, Robinson, Shields, Shoulders, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, Wilson, and Wolfe—37.

Those who voted in the negative were,

Messrs. Craven, Dickinson, Hamilton, and Mellett—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 117. A bill to authorize and require clerks of Circuit and Common Pleas Courts to enter satisfaction of certain mortgages foreclosed in such courts, and providing compensation therefor, Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, Ray, Robinson, Shields, Shoemaker, Shoulders, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, Wilson, and Wolfe—40.

None voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Slack,
The Senate took up

Senate bill No. 171. A bill to repeal an act entitled "an act to provide for the return of the jury in the Common Pleas Court, at the third day of the term," approved March 5, 1859.

Which had been previously read a third time, and failed for want of a constitutional majority.

Mr. March moved the following amendment thereto:

The Court of Common Pleas may fix the order in which business shall be docketed and disposed of, and the day in which the jury shall be summoned.

Which was unanimously agreed to.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, De Hart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoulders, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, and Williams—36.

Those who voted in the negative were,

Messrs. Conley, Mellett, Wilson, and Wolfe—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Studabaker,

The title of the bill was amended so as to read as follows:

An act to repeal an act entitled "an act to provide for the return of the jury in the Common Pleas Court, at the third day of the term, and to authorize the judges of Courts of Common Pleas to fix the order of business in such Courts, and the day on which the jury shall be summoned to appear in such Court.

Senate bill No. 93. A bill to amend section seven of an act entitled "an act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, so as to change the times of holding said Courts in Jackson county, and declaring when this act shall take effect.

Was read a third time.

Mr. Jones offered the following amendment:

Amend the bill making a change in the time of holding Common Pleas Courts in Bartholomew county, so as to commence the time of said Court in said county, on the third Monday of February, June, and November.

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Odell, Ray, Robinson, Shields, Shoulders, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson, and Wolfe—40.

No Senator voting in the negative,

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Mr. Cobb moved to amend the title of the bill by inserting "Bartholomew county."

Which was unanimously agreed to.

Senate bill No. 121. A bill supplementary to "an act to authorize and regulate the business of general banking," approved March 3, 1855, and authorizing the Auditor and Treasurer of State to surrender the securities and money deposited in certain cases.

Was read a third time.

Mr. Newcomb moved to recommit the bill with the following instructions:

Recommit with instructions to amend by providing that when a dividend less than the whole amount has been made to the bill-holders, that the surplus remaining after the expiration of two years from the time notice was given by the auditor, the Auditor of State shall advertize for the period of six months that a new dividend will be made to those who have received a dividend: *Provided*, that within the six months the auditor shall pay on all bills presented, the amount of dividend which has been received by other bill-holders, and in the final dividend all bill-holders who present their claims shall be equalized.

Mr. Mellett moved to lay the motion to recommit on the table,
Which was not agreed to.

The question recurring upon the motion to recommit the bill and pending instructions to the Committee on Finance,
It was agreed to.

On motion by Mr. Hamilton,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Senate bill No. 76. A bill to legalize the listing and assessment of property in the cities of this State, and the making out of the tax duplicates of such cities, and to authorize the treasurers and collectors of such cities to collect taxes in certain cases."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Hamilton, Hull, Johnston, Jones, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Shoulders, Slack, Steele, Studabaker, Turner, Wagner, Williams, Wilson, and Wolfe—32.

Those who voted in the negative were,

Messrs. Shields and Stone—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 136. A bill to amend section six of an act entitled "an act providing for the organization of county boards and prescribing some of their powers and duties," approved January 17, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Cobb, Conley, Conner, Craven, Cravens, De Hart, Ferguson, Hull, Jones, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Williams, and Wolfe—29.

Those who voted in the negative were,

Messrs. Campbell, Claypool, Hamilton, Johnston, Mellett, Shoulders, Slack, and Wilson—8.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Senate bill No. 82. A bill to repeal an act to amend the one hundred and forty-third section of an act entitled "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes, for the election of township assessors, and prescribing the duties of certain officers," approved March 4, 1859,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Carnahan, Cobb, Conley, Dickinson, Ferguson, Grubb, Johnson, Jones, Lomax, March, Miller, Odell, Ray, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Wagner, White, Williams, and Wilson—26.

Those who voted in the negative were,

Messrs Blair, Campbell, Claypool, Conner, Craven, Hamilton, Hull, Mellett, Newcomb, Robinson, Shields, and Wolfe—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 96. A bill relating to judgments upon instruments of writing, containing a promise to pay money without relief from appraisement laws,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shields, Shoemaker, Stone, Studabaker, White, Williams, Wilson, and Wolfe—33.

Those who voted in the negative were,

Messrs. Craven, Johnston, Robinson, Shoulders, Wagner—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 98. A bill to amend the thirteenth and fourteenth sections of an act entitled "an act providing for the election and qualifications of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Berry, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Grubb, Hull, Johnston, Jones, Lomax, March, Mellett, Murray, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Wagner, White, Williams, Wilson, and Wolfe—29.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Blair, Campbell, Claypool, Dickinson, Ferguson, Hamilton, Miller, Newcomb, and Tarkington—11.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 73. A bill to amend an act entitled "an act to authorize county agricultural societies to purchase and hold real estate," approved February 7, 1855,

Was read a third time.

On motion by Mr. Williams,

The bill was unanimously amended so as to read eighty acres instead of seventy-five acres.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Wagner, Williams, Wilson, and Wolfe—38.

S. J.—42.

No Senator voting in the negative.

So the bill passed

Ordered, That the Secretary inform the House thereof.

Senate bill No. 81. A bill to amend the fifty-first section of "an act defining misdemeanors and prescribing punishment therefor," approved January 14, 1852,

Was read a third time.

Mr. Shields moved that the bill be indefinitely postponed.

The ayes and noes being demanded by Senators Shields and Murray,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Craven, Grubb, Hull, Lomax, Murray, Ray, Robinson, Shields, Shoulders, Tarkington, and Turner—13.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Conley, Conner, Cravens, Culver, Dickinson, Hamilton, Johnston, Jones, March, Mellett, Miller, Newcomb, Odell, Shoemaker, Steele, Stone, Studabaker, Wagner, White, Wilson, and Wolfe—26.

So the bill was not indefinitely postponed.

Mr. Carnahan moved to lay the bill upon the table,
Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Conley, Conner, Cravens, Culver, Dickinson, Hamilton, Johnston, Jones, Mellett, Miller, Newcomb, Odell, Shoemaker, Steele, Stone, Studabaker, Turner, Wagner, White, Wilson, and Wolfe—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Craven, Grubb, Hull, Lomax, March, Murray, Ray, Robinson, Shields, Shoulders, Tarkington, and Williams—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Wolfe,

The title was amended, as follows: "And to legalize purchases heretofore made."

Senate bill No. 88. A bill to amend section sixty-two and seventy-one of an act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Claypool, Conner, Craven, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Turner, Wagner, White, Williams, Wilson, and Wolfe—38.

Senator Conley voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 138. A bill to amend the second section of an act entitled "an act to amend the two hundred and seventh and two hundred and eighth sections of an "act to revise simplify and abridge the rules of practice and pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1859,

Was read a third time.

Mr. March offered the following amendments:

Add after the word "tried," eleventh line, page eight, these words, "or otherwise disposed of."

Insert after "try" in the twelfth line, page ten, these words: "or continue the same."

After the word "same," on page eleven, insert these words, "or change the venue thereof."

Add to the end of the section the following:

When a change of venue is granted by a special judge, the court to which the change is taken shall have power to call the same or any

other judge to try the cause at a regular or special term, according to the provisions of this act, in the same manner as if originally commenced therein. Only one change of venue shall be granted to the same party.

SECTION —. It is declared that an emergency exists for the immediate taking effect of this act. It shall therefore take effect from and after the passage,

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Culver, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Tarkington, Turner, Wagner, White, Williams, Wilson, and Wolfe—40.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House, by Mr. Wilson, an assistant clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate bill, No. 104, and joint resolution No. 5, without amendment.

Senate bill No. 104. A bill to amend an act entitled "an act to amend the first section of an act concerning real property, and the alienation thereof," approved May 6, 1852, approved March 2, 1859, and to legalize conveyances made by Indians, negroes, mulattoes and persons of mixed blood.

Senate joint resolution No. 5. A joint resolution proposing an amendment to section second, article second of the Constitution, so as to guard against fraudulent voting.

In which the concurrence of the Senate is requested.

Senate bill No. 99. A bill to repeal section seventy-three of "an act to provide for the valuation and assessment of the real and per-

sonal property, and the collection of taxes in the State of Indiana, for the election of township assessors and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State, approved June 21, 1852,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony Beeson, Berry, Carnahan, Cobb, Conley, Craven, Cravens, Dickinson, Grubb, Hamilton, Johnston, Lomax, March, Miller, Murray, Odell, Ray, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Turner, and Williams—26.

Those who voted in the negative were,

Messrs. Blair, Campbell, Claypool, Conner, Hull, Mellett, Robinson, Shields, and Wolfe—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Blair.

Senate bill No. 141, a bill to amend sections thirty-four of chapter eighty-three of the Revised Statutes of 1852, and entitled "an act to provide for the incorporation of railroad companies, approved May 11, 1852,

Was taken from the table, and ordered to be engrossed and read a third time on to-morrow.

By unanimous consent,

Mr. Steele, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 70, "a bill for the relief of John W. White," have had the same under consideration, and have recommended me to amend the same by striking out the name of John W. White, wherever it occurs, and insert the name of Lot Edwards in lieu thereof, and when the bill is so amended recommend its passage.

The report was concurred in, the amendment adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Conner, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 221, a bill to repeal an act entitled "an act prescribing the time of holding and the length of terms of the Courts of the first judicial circuit," approved March 3, 1859, and to revise and declare in force the act or parts of acts thereby repealed, have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, and when so amended recommend its passage:

Amend the bill and title by striking out the word "third," where it occurs, and insert "first," so as to make it read "first judicial circuit."

The report was concurred in, and the amendment adopted.

Mr. Conner moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to.

The bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Dickinson, Grubb, Hamilton, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Shoulders, Steele, Stone, Studabaker, Tarkington, Turner, Williams, and Wolfe—36.

No Senator voting in the negative.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

On motion by Mr. Murray,

Senate bill No. 134, a bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs,

Was taken from the table, and referred to a select committee of three.

The President appointed Senators Murray, Dickinson, and White, said select committee.

On motion by Mr. March,

Senate bill No. 245, a bill for the relief of Joseph Moore,

Was taken from the files, read a second time, and referred to the Committee on the Judiciary.

On motion by Mr. Tarkington,

The vote by which Senate bill No. 54 had been recommitted to the Committee on the Judiciary, was reconsidered.

Senate bill No. 54, a bill regulating docket fees of district attorneys in the Courts of Common Pleas and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecutions on forfeited recognizance.

Was read a third time.

Mr. Ferguson moved to recommit the bill with the following instructions:

Recommit with instructions to amend so as to read in the proper place "in all convictions, in cases of felony, whether upon plea of guilty or not guilty, five dollars."

Mr. Conley moved to lay the motion to recommit upon the table, Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Berry, Blair, Claypool, Cobb, Conley, Craven, Dickinson, Line, March, Miller, Newcomb, Odell, Steele, Studabaker, Turner, and White—16.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Campbell, Carnahan, Conner, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Lomax, Mellett, Murray, Robinson, Shields, Shoemaker, Shoulders, Stone, Tarkington, Williams, and Wolfe—22.

So the bill did not pass.

Mr. Beeson moved to reconsider the vote just taken on Senate bill No. 54.

Mr. Lomax moved to lay the motion on the table,
Which was not agreed to.

The question recurring upon the motion to reconsider,
It was agreed to.

Mr. March moved to recommit the bill with the following instructions:

“Nor shall the district prosecutor be paid any fees out of the public treasury, where any attorney is employed to assist in the prosecution, and paid for his services out of the public treasury.”

Mr. Anthony offered the following instructions:

Amend by striking out ten where it occurs, and insert five.

The question recurring upon the motion to recommit the bill with the pending instructions,
It was agreed to.

On motion by Mr. Odell,

Senate bill No. 89 was taken from the table, and referred to a select committee consisting of Senators Odell, De Hart, and Ray.

Mr. Miller offered the following amendment to Senate bill No. 245, as additional instructions:

Amend by providing a salary of three hundred dollars per annum, and strike out all that part of the bill which provides for payment of docket fees out of the county treasury.

Which was not agreed to.

On motion by Mr. Shoulders,
The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, in which the concurrence of the Senate is respectfully requested.

House bill No. 42. A bill to authorize the Gibson county circuit court to hear testimony and make a decree in reference to the erection and sale of the county seminary of said county.

House bill No. 42, contained in the foregoing message, was read a first time.

Mr. Shoulders moved to suspend the order of business, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Carnahan, Claypool, Cobb, Conley, Cravens, Ferguson, Grubb, Hamilton, Johnston, Jones, Line, Lomax, March, Mellett, Murray, Newcomb, Odell, Ray, Shields, Shoulders, Steele, Studabaker, Tarkington, Turner, White, Williams and Wolfe—28.

Those who voted in the negative were,

Messrs. Beeson, Berry, Craven, Dickinson, Hull, Miller, Robinson, Stone and Wagner—9.

So the rules were not suspended, and the bill passed to its second reading on to-morrow.

Senate bill No. 106. A bill to provide for settlement and compromise by parties and joint debtors with their creditor and creditors. Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Tarkington, Teegarden and Turner—32.

Those who voted in the negative were,

Messrs. Shields, Shoulders, Wagner, White and Williams—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 101. A bill to amend section 168 of "An act to provide for the valuation and assessment of real and personal prop-

perty, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State." Approved June 21st, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Turner, Wagner and Wolfe—31.

Those who voted in the negative were,

Messrs. Carnahan, Miller, Shields, Shoulders, Studabaker, Tarkington, Teegarden, White and Williams—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Wolfe moved to suspend the order of business, and take up House message containing House bill No. 234.

Which was not agreed to.

Senate bill No. 203. A bill to authorize the Governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the General Government to the same, and which are not in the possession of companies meeting regularly for drill, and to institute legal proceedings to recover the said arms and equipments or the value thereof, and also to provide for the distribution of the public arms, and repeal all laws in conflict therewith.

Was read a third time.

Mr. Wolfe moved to recommit the bill with instructions to strike out all the counties bordering on the Ohio river.

Which was decided out of order by the President.

The call of the Senate on the passage of the bill having been commenced,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Hamilton, Johnston, Jones, Line, Lomax, Ray, Shields, Shoemaker, Shoulders, Studabaker, Tarkington, Williams and Wolfe—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Wagner,

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof :

House bill No. 62. A bill to authorize the Bank of the State of Indiana to lay off and establish five additional bank districts, and to locate and establish branches therein, in which the concurrence of the Senate is respectfully requested.

House bill No. 62 contained in the foregoing message was read a first time and passed to a second reading on to-morrow.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill thereof No. 324.

House bill No. 324. A bill to repeal all laws now in force establishing the times of holding Circuit Courts in the second Judicial Circuit, to fix the time of holding said Courts requiring all persons to take notice thereof, providing for return of process and declaring when this act shall take effect, in which the concurrence of the Senate is respectfully requested.

House bill No. 324, contained in the foregoing message, was read a first time and passed to a second reading on to-morrow.

The following message was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolutions thereof:

Resolved, by the House, the Senate concurring, That our Senators be instructed and our Representatives requested to use all honorable means to prevent any renewal by Congress of the patents formerly granted to Cyrus H. McCormick for reaping and mowing machines, as such extension would operate to the great detriment of the agricultural interests of the State.

Resolved, That the Governor be requested to forward to each of our Senators and Representatives in Congress a copy of the foregoing resolution.

In which the concurrence of the Senate is respectfully requested,
Which was concurred in.

The following message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof: bills No. 13, 46, 52, 69, 81, 76, 173 and 161.

House bill No. 13. A bill making provisions for the refunding of license money illegally collected under an act entitled "an act concerning license to vend merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show, and legerdemain," approved June 15, 1852.

House bill No. 46. A bill to legalize the acts and proceedings of certain special terms of the Circuit Court.

House bill No. 52. A bill to authorize justices of the peace to administer any oath required by law.

House bill No. 69. An act providing for serving process upon the officers, directors, attorneys, or agents of any railroad company, approved March 4, 1853.

House bill No. 81. A bill to quiet the title of a piece of ground

in Vanderburg county, known as out-lot No. 5, according to the plan of out-lots laid out by Robert M. Evans, on the part of the north-west quarter of section 29, of township six, south of range ten, west.

House bill No. 76. An act to amend section one of an act entitled "an act authorizing county recorders and county surveyors to issue fee bills," approved March 5, 1855.

House bill No. 173. An act supplemental to an act entitled "an act to provide for the relocation of county seats, and for the erection of public buildings in case of such relocation, approved March 2, 1855, so as to provide for the relocation of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court house, and when a deed has been executed, to provide also for the transfer of any equitable title for the terminations of actions growing out of such relocation, and for the transfer of the former county property, approved December 22, 1858, so as to provide for the relocation of county seats in counties where no court house has been erected, which have been formed out of the territory of another county, and for the transfer of the county offices, books, &c.

House bill No. 161. A bill to amend the eleventh section of an act entitled "an act to provide a treasury system for the state of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys.

In all of which the concurrence of the Senate is respectfully requested.

House bills No. 13, No. 46, No. 52, No. 69, No. 81, No. 76, No. 173 and No 161, contained in the foregoing message, were each severally read a first time and passed to a second reading on to-morrow.

On motion by Mr. Murray,
The Senate adjourned.

THURSDAY MORNING, 9 o'clock, }
February 28, 1861.

The Senate met.

On motion by Mr. Murray,

The reading of the Journal of the preceding day was dispensed with.

The President laid before the Senate a communication from the State Librarian,

Which was referred (without reading) to the Committee on Finance.

The President laid before the Senate a communication from Elder & Harkness, proposing to do the public printing at 30 per cent. less than the prices given by law.

Which was referred to the Committee on Printing.

Mr. Tarkington offered the following resolution:

Resolved, By the Senate (the House concurring), that the office of State Printer be and is hereby abolished, and that the State officers are hereby required to at once contract with Messrs. Elder & Harkness to do all the public printing, at the prices and on the conditions embraced in their proposition this day submitted, until further directed by the Legislature.

Which was referred to the Committee on Printing.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Lomax presented a memorial from sundry citizens of Indiana, on the state of the Union,

Which was referred to the Committee on Federal Relations.

Mr. Wolfe presented a memorial from sundry citizens of Indiana, on the state of the Union,

Which was referred to the Committee on Federal Relations.

Mr. Line presented a memorial from sundry citizens of Indiana, on the State of the Union,

Which was referred to the Committee on Federal Relations.

Mr. Landers presented a memorial from sundry citizens of Indiana, on the state of the Union,

Which was referred to the Committee on Federal Relations.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 245, "a bill for the relief of Joseph G. Moore," have had the same under consideration, and directed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Johnston, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 207, an act amending section nine of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855, have had the same under consideration, and directed me to report the same back, and recommend its passage.

Mr. Bearss moved to concur in the report of the committee, with the following amendment:

Amend the bill so as to read two and one-half per cent. for securing and paying out all other moneys than school tax and school funds; but nothing herein contained shall forbid the allowance now provided by law, for the disbursing of school interest.

Mr. Johnston moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Johnston and Bearss,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Cobb, Conner, Craven, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Slack, Stone, Studabaker, Tarkington, Turner, Williams, and Wolfe—33.

Those who voted in the negative were,

Messrs. Bearss, Campbell, Carnahan, Conley, Culver, De Hart, Hull, Shoemaker, Teegarden, Wagner, and Wilson—11.

So the amendment was laid upon the table.

Pending the call of the Senate, Mr. Shoulders was excused from voting.

The question recurring upon the motion to concur in the report of the Committee.

It was agreed to.

Mr. Mellett, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 233, a bill to amend section 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 17, 1852, so as to fix the rate of compensation for the publication of the delinquent lists of the several counties of this State, report the same back and recommend that it be amended, as follows:

Add the following section:

SECTION 2. That the ninety-fourth section of the above recited act, which reads as follows: "Immediately on receiving such duplicate, he shall proceed to collect the same, and for that purpose shall, between the fifteenth day of October and the fifteenth day of November, attend at the place of holding elections in each township for the space of one day, and as much longer as the board of county commissioners shall direct, and after the fifteenth day of November, until the third Monday of March, he shall, for the same purpose, attend at his office at the seat of justice," be, and the same is hereby amended to read as follows, to-wit: "Immediately on receiving such duplicate, he shall proceed to collect the same, and for that purpose shall attend at his office, at the seat of justice, from the time of receiving such duplicate, until the third Monday of March.

SEC. 3. That the ninety-sixth section of said act, which reads as follows: "In case any person shall refuse or neglect to pay the tax imposed on him, the county treasurer shall, after the third Monday of

March, levy the same, together with the ten per centum damages, and the costs and charges that may accrue, by distress and sale of the goods and chattels of such person who ought to pay the same, where-soever the same may be found within the county," be amended to read as follows: "In case any person shall refuse or neglect to pay the tax imposed on him, the county treasurer shall, after the third Monday of March, levy the same, together with ten per cent. damages, and costs and charges that may accrue, by distress and sale of the goods and chattels of such person who ought to pay the same, where-soever the same may be found within the county, and may, in his discretion, receive such goods and chattels to the county seat, and expose the same for sale at the court house door, after giving the notice contemplated in the ninety-seventh section of the act to which this is amendatory. And that the title be amended by adding after the words "one hundred and forty-three" the words "ninety-four and ninety-six;" and change the word "section" to the word "sections," and by adding to the title the following: "And to authorize county treasurers, to sell the goods and chattels of delinquent tax payers at the county seats," and when so amended, recommend its passage.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary to whom was referred Senate bill 219, a bill to amend the second section of an act entitled "an act to amend section 207 of the practice act, &c., have had the same under consideration, and directed me to report the same back, and recommend that it lie on the table, as a bill has already passed the Senate on the same subject,

Which was concurred in.

Mr. Craven, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 202, entitled "an act to amend the eighth section of an act entitled an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855, have had the same under consideration, and have instructed me to report the same back, and recommend that it lie on the table,

Which was concurred in.

Mr. Craven, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was recommitted Senate bill No. 54, a bill to regulate docket fees of district attorneys in the Courts of Common Pleas, and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecutions on forfeited recognizances, with certain instructions, have the same under consideration, and have amended said bill accordingly, by striking out ten where it occurs in the sixth line of the second page, and inserting five in lieu thereof, and by inserting after the word committed in the 11th line on the fourth page the following language, to-wit: "Except in case where some person is appointed to aid in the prosecution and paid out of said treasury," and by adding to the end of the second section the following language: "That no person has been appointed by the Court to assist in the prosecution of the case and paid out of said treasury."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 228, a bill to amend the third section of an act prescribing the powers and duties of justices of the peace," have had the same under consideration, and directed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

By unanimous consent,

Mr. Hamilton introduced

Senate bill No. 260. A bill releasing all the right, title, interest, and claim of the State of Indiana, in and to the ——— quarter of section No. ———, in township No. 30, north of range 12 east, situate in Allen county, to William Rockhill.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Bearss introduced

Senate bill No. 261. A bill regulating the licensing of pilots at

the falls of the Ohio river, requiring bond and security of such pilots prohibiting any unlicensed person from acting as such pilot; providing for the compensation of such pilots, and the revocation of their license, and repealing all laws and parts of laws in conflict herewith.

Which was read a first time, and passed to a second reading on to-morrow.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the report from the Committee on the State Prison, embodying

Senate bill No. 222. A bill to provide for the government and discipline of State Prisons, and to repeal "an act to provide for the government and discipline of the State Prison," approved February 5, 1857, together with so much of an act to provide for the erection of a new prison north of the National Road, elect officers thereof, make appropriations, and for the regulation of the same, approved March 5, 1859, as may come in conflict with this act, and all other laws and parts of laws inconsistent with the provisions of this act.

And the amendments thereto pending, which had been postponed from yesterday, and made the special order for to-day at 10 o'clock A. M.

The question being, shall the amendment of Mr. Line be adopted?

Mr. Hull moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Line and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, De Hart, Dickinson, Grubb, Hull, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Teegarden, Turner, and Wagner—23.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Odell, Ray, Shields, Shoemaker, Slack, Stone, Studabaker, Tarkington, Williams, Wilson, and Wolfe—22.

So the motion to lay upon the table prevailed.

Mr. Jones moved to concur in the report of the committee, with the following amendment:

Amend the bill by inserting a provision in the proper place, "that nothing in this act shall be construed so as to remove any one from office, who holds office under any legal election to such office, until the term for which such officer was elected shall expire."

Mr. Anthony moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Shields and Jones,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, De Hart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, and Wagner—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

So the amendment was laid upon the table.

Mr. Hull demanded the previous question,
Which was not seconded.

The question recurring upon concurring in the report of the committee,

Mr. Claypool moved to concur in the report of the committee, with the following amendment:

Amend by inserting at the proper place the following:

Provided, that if, in any event, the erection of the Northern State Prison should be discontinued, either by a repeal of the law creating it, or by converting the same into a House of Refuge for youthful criminals, then, and in that event, the term of those two persons elected for said Northern State Prison shall be terminated.

Mr. Murray moved the previous question,
Which was not seconded.

Mr. Wolfe moved to postpone the further consideration of the report and Senate bill No. 222 therein contained until Tuesday next at 10 o'clock A. M., and make it the special order for that hour.

Mr. Conner moved to lay the motion on the table.

The ayes and noes being demanded by Senators Johnston and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, De Hart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, and Wagner—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

So the motion to postpone was laid upon the table.

Mr. Conner moved the previous question.

The ayes and noes having been demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—19.

So the previous question was seconded.

Mr. Johnston moved that the Senate do now adjourn.

The Chair decided the motion to be out of order, after the previous question had been seconded.

Mr. Wolfe took an appeal from the decision of the Chair, as follows:

On the motion of the Senator from Putnam that the Senate now

adjourn, the Chair decided said motion to adjourn out of order, from which motion we appeal.

S. K. WOLFE.
M. W. SHIELDS.

Mr. Murray moved to lay the appeal upon the table.

The ayes and noes being demanded by Senators Conley and Murray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—20.

So the decision of the Chair was sustained.

Mr. Williams moved a call of the Senate.

The Chair decided the motion to be out of order, the previous question having been seconded.

Senators Slack and Jones appealed from the decision of the Chair as follows :

Senator Cobb moved a call of the Senate, which motion the President of the Senate ruled out of order, from which decision of the Chair the undersigned appeal to the Senate.

JAMES R. SLACK.
SMITH JONES.

Mr. Murray moved to lay the appeal upon the table.
Which was agreed to.

The question recurring upon the adoption of the amendment of Mr. Claypool.

The ayes and noes being demanded by Senators Claypool and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Mellett, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson and Wolfe—42.

Those who voted in the negative were,

Messrs. Carnahan, Conley and Miller—3.

So the amendment was agreed to.

The question recurring upon concurring in the report of the committee.

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—19.

So the report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

The question recurring upon the appeal of Senators Slack and Jones.

The question being, shall the decision of the Chair stand as the judgment of the Senate.

The ayes and noes being demanded by Senators Slack and Jones

Those voting in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conley, Conner, Craven, Culver, DeHart, Dickinson, Ferguson,

Grubb, Hamilton, Hull, March, Mellett, Murray, Newcomb, Robinson, Steele, Stone, Tarkington, Teegarden, Turner and Wagner—28.

Those who voted in the negative were,

Messrs. Lomax, Odell, Ray, Shields, Shoemaker, Studabaker and Wolfe—7.

Messrs. Carnahan, Cobb, Jones, Landers and Slack refusing to vote.

So the decision of the Chair was sustained.

Mr. Conley moved to recommit the bill with instructions.

The Chair decided the motion to be out of order.

Mr. Berry, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled bills have compared the enrolled with the engrossed copy of Senate bill No. 104, "A bill to amend an act entitled 'an act to amend the first section of an act concerning real property, and the alienation thereof, approved May 6, 1852,' approved March 2, 1859; and to legalize conveyances made by Indians, negroes, mulattoes, and persons of mixed blood;" and find the same correctly enrolled.

On motion by Mr. Wagner,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Mr. Miller, chairman of the Committee on Education, made the following report:

MR. PRESIDENT :

The Committee on Education, to whom was recommitted Senate bill No. 217, being a bill to provide for a general system of common schools, ect., together with sundry amendments and instructions, have had the same under consideration, and have directed me to report said bill back for the action of the Senate, with the following amendments :

Amend section two by striking out the words "and unclaimed fees as provided by law," in the thirteenth and fourteenth lines, and insert in the sixteenth line, after the word "liquors," the following: "and unclaimed fees as provided by law."

Amend section third by adding thereto the following words: "And said board of county commissioners are hereby authorized and required to provide for such deficit in their respective counties."

Amend section seven by inserting in the sixth line, after the word "require," the following words: "And on such settlement, such trustee shall render an account current with the proper vouchers and his charges for services in writing, which account, vouchers and charges shall be verified by affidavit."

Amend section ten by striking out the word "act" after the word "schools in the second line, and insert the word "or" in the same place. And by striking out the words "each school" in the first line and insert "all schools."

Amend section fifteen by inserting in the first line after the word "township" the words "town or city," and in the second line after the word township insert the words "town or city," and in the fourth line after the word township insert the words "town or city," and in the sixth line after the word township insert the words "town or city," and in the seventh line after the word township insert the words "town or city."

Amend section sixteen, by inserting before the word does in the fourth line these words, "that the enumeration."

Amend section twenty by striking out the word "trustees" in the first line and inserting "trustee. Strike out of the same line "their reports" and insert these words, "making their report." At the end of the ninth line insert the word "on." Insert before the word "Congressional" the word "unsold."

Amend section twenty-six by striking out of the fourth line the words "fund for tuition within the year for which said funds are apportioned" and insert "revenue apportioned to them for tuition within the year for which said revenues are apportioned," and strike out the word "their" in the same line and insert the word "the," and add to said section the following: "*Provided*, that nothing herein contained shall be so construed as to prevent the trustee from exercising a sound discretion as to the cost of such repairs, removal or erection of a school house."

Amend section twenty-seven, line first, by striking out the word

“township,” and in the same line strike out the word “trustees” and insert the word “trustee.”

Amend section twenty-eight by striking out in the fourth line the words “the inhabitants attached to any school” and insert the words “such voters,” and in the sixth line strike out the words “the inhabitants” and insert the words “such voters,” and insert in the third line after the word “terms” the words “Provided such teacher has a license to teach.”

Amend section thirty-three by inserting in line fifth after the word “law” “which oath shall be filed with the county auditor.”

Amend section thirty-four by inserting in the eleventh line after the word “answers” these words, “and other evidences of qualification.”

Amend section thirty-five by inserting in the first line after the word “school” the word “district.”

Amend section thirty-eight by striking out the word “August” in the first line and inserting the word “May.”

Amend section forty-five by striking out the word “county” in the first line and inserting the word “school.”

Amend section forty-six by inserting in the first line the word “school” before the word “examiner,” and by inserting in the fifth line before the word “examine” the word “school.”

Amend section forty-eight by striking out the word “April” in the third line and inserting the word “March.”

Amend section fifty-one by striking out the word “work” in the third line and insert the word “waste.”

Amend section ninety-three by striking out the word “ten” in the third line and insert the word “seven.”

Amend section ninety-four by striking out the word “ten” in the fourth line and insert the word “seven.”

Amend section one hundred and ten by adding to the thirteenth sub-division the following words: “Collected within the year.”

Amend section one hundred and fifteen by adding thereto these words, “which report shall be verified by the oath of the auditor endorsed thereon.”

Amend section one hundred and eighteen by adding thereto the following words: “Together with his own affidavit of that fact.”

Amend section one hundred and nine by adding thereto the following words: “And make up to said funds losses which have accrued or may accrue.”

Amend section one hundred and twenty-one: strike out of the fifth and sixth lines the words “or of school revenue,” and insert in the fifth line before the word revenue the words “or another.”

Amend section 123, by striking out the word “Treasurer” in the first line, and insert the word “auditors,” and in the second line strike out the word “distribution,” and insert the word “apportionment,” and in the third line strike out the words, “upon the warrant of the county auditor,” and in the fifth line, after the word “city,” insert, “by the county treasurers upon the warrant of the county auditors.”

Amend section 132 by inserting in the second line, before the word "deaf," the words "education of the," and insert in the same line, after the words "dumb and," the words "the asylum." Strike out of the third line the word "mutes," and insert the words "the education of the deaf and dumb."

Amend section 133 by inserting in the first line, after the word "State," the words "if practicable," and after the word "year" insert the word "and;" and strike out in the same line the word "examining" and insert the word "examine;" and in the second line strike out the words "as to the," after the word "books," and insert the word "and;" and strike out "of," after the word "record," in the same line, and insert the words "relation to the;" and strike out the word "all," in the third line, and insert "such of the;" and insert in the same line, after the word "officers," these words, "as attend his appointments;" and in the second line, after the word "revenues," insert these words, "with a view to the safety and preservation of said funds and revenues, and for that purpose he shall have access to, and full power to require for inspection, the use of the books and papers of the auditors' offices; and whenever he may discover that any of the school funds are unsafely invested and unproductive of school revenue, or that any of the school revenues have been directed from their proper objects, he shall report the same to the General Assembly."

Amend section 135 by adding thereto these words, "and without charge against said funds or revenue."

Amend section 136 by striking out the word "township," in the second line.

Amend section 146 by inserting in the third line, before the word "population," the word "school."

Amend section 149 by striking out the word "any," in the second line, and insert the word "any," after the word "whether," in the same line.

Amend section 161 by inserting in the third line, after the word "township," the word "town."

Fill blanks as follows:

Section 23 insert "12."

Section 36 insert "34."

Section 44 insert "123."

Section 98 insert "91."

Section 119, first blank fill by inserting "114;" second blank by inserting "43d and 118th."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Craven, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 230, "A bill to enable railroad companies, incorporated under the general railroad law of May 11, 1852, that have gone on to construct their roads, but failed to complete the same within the time specified in said law, to enjoy the privileges of their charter, and to *complete* or abandon the remainder; and to enable railroad companies to extend their lines of railroads; and also to extend the time to complete railroads;" have had the same under consideration, and have recommended me to report the same back to the Senate, *without any recommendation* as to its passage.

Which was concurred in, and the bill was ordered to be engrossed, and read a third time on to-morrow.

Mr. Shields, from the Committee on Corporations, made the following report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate bill No. 41, a bill supplemental to an act entitled "an act to amend sections one and two of an act to provide compensation to the owners of animals killed or maimed by the cars, or locomotives, or other carriages of any railroad company in this State," approved March 1, 1853, and to provide the manner of the service of process, have had the same under consideration, and instructed me to report the same back to the Senate, with the following amendment, and when so amended recommend its passage:

Strike out all after the enacting clause, and insert the following: That hereafter judgments against railroad companies in Courts of record, and transcripts from justices' dockets duly filed in the clerk's office, shall be liens from the date of their rendition and from the filing of said transcripts, on all the property, real and personal, owned by such company, excepting the franchises of such company.

SECTION 2. Hereafter when, for any reason, any railroad, and the rolling stock of any railroad company, shall pass into the hand of any trustee, by whatever name known, and shall be run and operated by any such trustee, the trust funds and property thus held by said trustee, except the franchises of said railroad, shall be liable in his hands for the payment of all damages recovered against said company for injury to stock, and for the current debts created by said trustee for the running expenses of such road, to be paid under the law according to the priorities and equities of the case.

It is hereby declared that an emergency exists for the immediate taking effect of this act; therefore, it shall take effect and be in force from and after its passage and publication.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Beeson, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Roads, to which was referred Senate bill No. 192, "a bill to provide for the change of width of State roads," have had the same under consideration, and direct me to report it back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Hull, from the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:

The Committee on Roads and Highways, to whom was referred Senate bill No. 105, "a bill to provide for the location, vacation, or change of public highways for the assessment of damages sustained by such location, vacation, or change, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, of an act to provide for the opening, vacation, and change of highways," approved June 17, 1852, have had the same under consideration, and have directed me to report the said bill back to the Senate, and recommend its passage.

Which was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow:

Mr. Cobb, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred House bill No. 3, an act to amend the sixteenth section of an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this State; the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1855, so as to provide for holding said Common Pleas Court in the county of Newton, have had the same under consideration and in-

structed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Robinson, from the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:

The Committee on Roads and Highways, to whom was referred House bill No. 103, a bill to provide for the erection and repair of any bridge across a stream forming the boundary line between two counties, and to repeal section seven of an act approved March 3, 1855, entitled an act to provide for the erection and repair of bridges, and to repeal an act entitled an act to provide for the erection and repair of bridges, approved May 12, 1852, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Stone, from the Committee on Roads, made the following report:

MR. PRESIDENT:

The Committee on Roads, to whom was referred Senate bill No. 193, being a bill to amend "an act to amend section fifteen, and to repeal sections twenty-seven to thirty-eight inclusive of an act entitled 'an act to provide for the opening, vacating, and change of highways, approved June 17, 1852,' so as to give boards of county commissioners jurisdiction as to the change, laying out, and vacating highways in their respective counties, saving and transferring all proceedings now pending before township trustees under said sections so repealed, to the boards of county commissioners, and providing for the disposition thereof," have had the same under consideration, and directed me to report the same back, and recommend it lay on the table, from the fact that the committee have reported a bill containing similar provisions.

Which was concurred in.

Mr. Hull, from the Committee on Roads and Highways, to whom was referred Senate bill No. 167, a bill to provide for laying out and repairing highways on the line between Indiana and adjoining States,

have had the same under consideration, and have instructed me to report the said bill back to the Senate, and recommend that it lay on the table for the reason that the subject matter of the bill is already provided for by law,

Which was concurred in.

Mr. Dickinson, from the Committee on the Organization of Courts, made the following report:

The Committee on the Organization of Courts, to whom was referred House bill No. 86, a bill to amend sections eight and ten of an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852, have had the same under consideration, and direct me to report the same back, and recommend that it be indefinitely postponed.

Mr. Wagner moved to concur in the report by striking out "to indefinitely postpone" and insert "recommend its passage."

Mr. Dickinson moved to lay the motion on the table.

The ayes and noes being demanded by Senators Dickinson and Carnahan,

Those who voted in the affirmative were,

Messrs. Anthony, Claypool, Cobb, Conner, Dickinson, Ferguson, Newcomb, Ray, Slack, White, and Wolfe—11.

Those who voted in the negative were,

Messrs Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Conley, Craven, Culver, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Odell, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, and Williams—33.

So the motion to lay the motion to concur upon the table did not prevail.

Mr. Slack offered the following amendment to the amendment:

That the bill be amended so as to provide for an appeal from the Supreme and Circuit Courts, to justices' courts,

Which,

On motion by Mr. Carnahan,

Was laid upon the table.

The question recurring upon the motion to concur in the report,
It was agreed to.

Mr. March moved to amend the bill by adding:

But no justice shall have jurisdiction in any action of slander, for malicious prosecution, or breach of marriage contract, nor any action whenever the title of lands shall come in question or the parties be related by blood or marriage to either party.

On motion by Mr. Conley,

The bill on pending amendment was referred to a Select Committee, consisting of Senators Conley, Williams and Ray.

Mr. Cobb offered the following amendment:

Amend the bill by striking out "two hundred dollars" where it occurs, and insert "four hundred dollars." Also, strike out "three hundred dollars" where it occurs, and insert "five hundred dollars,"
Which,

On motion by Mr. Carnahan,
Was laid on the table.

Mr. Wolfe moved to instruct the Committee as follows:

Amend so as to require the bonds of justices now in office as well as those hereafter filed to be increased, &c.

Mr. Wagner moved to amend the motion by referring the instructions to the Committee,
Which was agreed to.

Mr. Slack offered the following instructions:

Instruct the committee to add the following: That attorneys at law are prohibited from practicing law before said justices' courts.

Mr. Carnahan moved to lay the instructions upon the table.

The ayes and noes being demanded by Senators Slack and Carnahan,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Carnahan, Conley, Craven, Cra-

vens, Culver, DeHart, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Murray, O'Brien, Robinson, Shields, Shoemaker, Steele, Tarkington, Turner, Teegarden, Wagner, Williams, and Wolfe—29.

Those who voted in the negative were,

Messrs. Anthony, Blair, Campbell, Claypool, Cobb, Conner, Dickinson, Ferguson, Jones, Mellett, Miller, Newcomb, Ray, Slack, Stone, Studabaker, White, and Wilson—18.

So the instructions were laid upon the table.

Mr. Slack offered the following instructions :

Amend the title to read, a bill to increase litigation, duplicate the fees of attorneys, make pettifoggers of them all and render judicial action a farce,

Which,

On motion by Mr. Carnahan,
Was laid upon the table.

Mr. Blair offered the following instructions : Also report a bill increasing the bond of constables,

Which,

On motion by Mr. Conley,
Was laid upon the table.

Mr. Ray, from the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, who were instructed to inquire into the expediency of making up a complete record in case of final settlement by executors and administrators, and also into the expediency of authorizing county clerks to settle with executors and administrators during vacation, have had the same under consideration, and have instructed me to report to the Senate that, in their opinion, it is inexpedient to legislate further on the subject referred to them,

Which was concurred in.

Mr. White, from the Committee on Temperance, made the following report :

MR. PRESIDENT :

The Committee on Temperance, to whom was referred Senate bill S. J.—44.

No. 139, being an act entitled an act to amend the fifth section of an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws, contravening the provisions of this act in prescribing the penalties for violation thereof, approved March 5, 1859, have had the same under consideration, and the majority of said Committee have instructed me to report the same back, and recommend that it lay on the table,

Which was concurred in.

Mr. DeHart, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred Senate bill No. 188, a bill to amend section five of an act providing for the appointment of notaries public, and defining their powers and duties, approved June 9, 1852, and supplemental thereto, conferring upon notaries public all the powers conferred upon justices of the peace in civil cases, have considered of the same, and direct me to report the same back, and recommend that it lie upon the table,

Which was concurred in.

Mr. Beeson, from the Committee on Agriculture, made the following report :

MR. PRESIDENT :

The Committee on Agriculture, to which was referred House bill No. 199, a bill to amend an act entitled "an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock, have had the same under consideration, and direct me to report it back, and recommend that it lay upon the table.

Mr. Anthony moved to amend by authorizing said societies to borrow any sum of money not exceeding ten thousand dollars to pay off any indebtedness said society may have, and to issue bonds for said money so borrowed, and mortgage their real estate to secure the same.

On motion by Mr. Wagner,

The bill and pending instructions were referred to a Select Committee of three, consisting of Senators Wagner, Anthony, and Johnston.

Mr. Turner, Chairman of the Committee on Swamp Lands, made the following report :

MR. PRESIDENT :

The Committee on Swamp Lands beg leave to make the following report :

That they find that great frauds have been perpetrated on the Swamp Land fund. The law of 1857 authorized lands to be paid for in ditching. Advantage of this law has been taken, in many instances, by parties in collusion with the Swamp Land Commissioners, and your Committee find that, in many instances, said Commissioners now hold as part of the proceeds of these nefarious transactions a share of those lands so acquired, that the same have been paid for with Swamp Land certificates, issued by said Commissioners for *work done*; when, in fact, your Committee verily believe, from good and reliable information, only a portion of such work has been performed; and, in a majority of cases, a spade has never broken the sod. Such certificates are entirely fraudulent, and with such certificates have thousands of acres of our Swamp Lands been paid for—the fund plundered by the very men whose sworn duty it was to protect it.

Your Committee find that the attention required of them for other duties entirely precludes the hope of a full investigation of all the frauds throughout the State, and in view of these facts, as set forth in this report, your Committee are deeply impressed that for the honor of the State, such glaring frauds should not be carried on and consummated with impunity, and believing that many thousands of acres can be recovered back to the State, and these fraudulent titles set aside, would respectfully recommend, that some measures be promptly taken to inquire into these matters, and for this purpose would suggest that a Joint Committee be appointed by the Legislature, or that the Governor be authorized to appoint some suitable person, whose duty it shall be to investigate frauds on this fund, and in any case where, in his judgment, lands can be recovered back to the State, or in cases where ditches have been paid for and not dug, he shall then, in conjunction with the Attorney General, commence judicial proceedings against those parties engaged in such frauds, and shall prosecute the same to final judgment, if, in their opinion, such proceedings would be advisable, and your Committee would further recommend that full power should be given to the Attorney General to prosecute, in all cases, as referred to in this report.

Mr. Wolfe moved to concur in the report, with the following amendment:

“Strike out all in regard to appointing a joint committee.”

Mr. Wagner moved to recommit the report with the following instructions:

“To report a joint resolution, creating commissioners of three, of whom the attorney-general shall be one.”

Mr. Murray moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Wagner and Miller,

Those who voted in the affirmative were,

Messrs. Johnston, Landers, Murray, Ray, Shields, Slack, Studabaker, and Wolfe—8.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Conley, Conner, Craven, Cravens, Dickinson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Odell, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—29.

So the motion to lay upon the table the motion to recommit, did not prevail.

On motion by Mr. Line,

Mr. Shoulders was granted leave of absence during balance of the session of the General Assembly.

Mr. Stone offered the following amendment to the instructions:

Amend, to be appointed by the Governor, who are personally acquainted with the localities and facts.

Which was agreed to.

Mr. Jones offered the following additional instructions:

Said committee shall inquire and report the amount of swamp lands stolen by Democrats and the amount stolen by Republicans; and if one party has stolen more than the other, said committee shall equalize the stealing between the two parties.

Mr. Wagner moved to lay the instructions offered by Mr. Jones upon the table.

Which was agreed to.

The question recurring upon the motion to recommit,

The report and pending instructions were recommitted to the Committee on Swamp Lands.

On motion,
Mr. Conner was added to the Committee on Finance.

Mr. Hull, from the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred Senate bill No. 22, "a bill to secure the payment of moneys due for licenses for the sale of intoxicating liquors into the county treasury by taxing the same against the property in which or upon which such liquors are vended, and to provide that all moneys received for license to sell intoxicating liquors shall be added to the principal of the common school fund in the counties wherein received," have had the same under consideration, and the majority of said committee have directed me to report the said bill back to the Senate, and recommend it lay on the table, for the reason that it will lead to increased difficulties, and be detrimental to an equitable administration of the license law.

Mr. Dickinson offered the following report:

MR. PRESIDENT:

The minority of the Committee on Temperance, to whom was referred Senate bill No. 22, with the amendments thereto attached, report the same back with certain amendments thereon made, and recommend its passage.

T. R. DICKINSON,
M. W. SHIELDS.

An act supplementary to "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1859, so as to secure the payment of moneys due for licenses for the sale of intoxicating liquors into the county treasury, by taxing the same against the property in which, or upon which such liquors are vended, and to amend section five of said act, so as to provide that all moneys received for license to sell intoxicating liquors shall be added to the principal of the common school fund in the counties where received.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That in all cases where the vendors of intoxicating liquors fail to procure a license for such sale according to the provisions of "an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation

thereof," approved March 5, 1859, the auditor of the county where such liquors are sold, upon information given by the certificates of five respectable citizens of said county, to be filed in his office, that intoxicating liquors are so kept and sold in violation of law, shall each and every year add to the duplicate of taxes for the current year against each such property, building, or real estate where such intoxicating liquors are sold, and against the owner of such property, the sum of fifty dollars (or the amount which is fixed by law for granting license to sell intoxicating liquors) per annum, in lieu of such license money, which shall be collected from the owner of such property in the same manner as other taxes are collected or paid: *Provided*, however, that if any tenant of any owner of any property who has not expressly contracted that any building or tenement in which intoxicating liquors may be sold, that it shall be lawful for such landlord, his or their agent or attorney, to terminate such lease whenever the sale of any liquors shall have been made contrary to said act.

SECTION 2. That section five of said act, which reads as follows:

"SEC. 5. Such applicant shall, before license shall issue to him, be requested to pay to the treasurer of said county fifty dollars as a fee for license for one year, to be applied and expended for common school purposes, in the same manner in which the revenues of the common school fund are, or may be expended," to be amended so as to read as follows, to-wit:

SEC. 5. Such applicant shall, before license shall issue to him, be required to pay to the treasurer of said county fifty dollars, as a fee for license one year, and all moneys so received or collected under the provisions of this act, shall be added to the common school fund of the county where paid or collected as principal, and shall be loaned and managed in the same manner as the said common school fund is loaned and managed.

SECTION 3. The collection upon the duplicate of the moneys made in the first section of this act, shall, in no respect, release the vendor of intoxicating liquors from the penalties incurred by the violation of the act approved March 5, 1859.

On motion by Mr. Line,

The minority report from the Committee on Temperance was laid on the table.

The question recurring upon the adoption of the majority report, It was concurred in.

Mr. Dickinson, from the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred the petition of citizens of Madison county, introduced by Mr. Craven; the petition of citizens of Marshall county, introduced by Mr. Miller, and the two petitions of citizens of Monroe county, introduced by Mr. Tarkington, have had the same under consideration, and have directed me to report the same back with the following:

That while they fully appreciate the high, charitable and philanthropical motives that impels the action of the petitioners, they believe that any legislation at this time would be futile to accomplish the ends sought by them, therefore they say that any further legislation would be inexpedient, and recommend that the petitions be laid upon the table.

Which was concurred in.

Mr. Johnston, from the Committee on Temperance, made the following report:

MR. PRESIDENT:

The Committee on Temperance, to whom was referred resolution of the Senate instructing said committee to inquire into and ascertain whether there is any penalty for the violation of the eighth and ninth sections of an act to regulate and license the sale of intoxicating liquors, the committee have had the same under consideration, and have directed me to report that in their opinion no further legislation is necessary on that subject and recommend that resolution lie on the table.

Which was concurred in.

Mr. Wolfe, from the Committee on Printing, offered a minority report.

Mr. Wagner moved to expunge from the report all that which reflect upon the personal character of any person.

Mr. Newcomb moved to amend by rejecting the whole report.
Which was accepted.

Mr. Studabaker moved that the Senate do now adjourn,
Which was not agreed to.

Mr. Landers moved that the Senate do now adjourn.
Which was not agreed to.

The question recurring upon the motion to reject the report.

The ayes and noes being demanded by Senators Studabaker and Murray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Johnston, Landers, Odell, Ray, Shields, Slack, Studabaker and Williams—10.

So the report was rejected.

On motion by Mr. Wagner,
The Senate took a recess until 7½ o'clock, P. M.

7½ o'clock, P. M.

The Senate met.

The President laid before the Senate a communication from the Auditor of State,

Which was referred to the Committee on Finance.

BILLS INTRODUCED.

Mr. March introduced,

Senate bill No. 262. A bill to amend the 11th and 24th sections of an act entitled "an act regulating the election and duties of State Librarian," approved May 27, 1852, and to punish the violation of its provisions.

Which was read a first time, and passed to a second reading on tomorrow.

On motion by Mr. Conner,
The Senate took up the following messages from the House:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof: House bills Nos. 84, 100, 106, 140 and 238.

House bill No. 84. Regulating interest on money, and to repeal an act entitled "an act concerning interest on money," approved May 27, 1852; the fifty-first section of the act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852, and all other laws, or parts of laws, in conflict with this act.

House bill No. 100. An act authorizing township trustees to assign certificates of purchase of saline lands which were purchased with district school funds by the inhabitants of school districts in congressional townships, for school house sites.

House bill No. 106. An act to amend the thirteenth section of an act entitled "an act defining misdemeanors and prescribing punishment therefor."

House bill No. 140. An act to authorize the President of the Board of Sinking Fund Commissioners to make deeds and satisfy mortgages in certain cases therein named.

House bill No. 238. A bill supplemental to an act to require surviving partners to file inventories and appraisement in the office of the Clerk of the Court of Common Pleas, and to report the liabilities of the firm, approved March 5, 1859.

In all of which the concurrence of the Senate is respectfully requested.

House bills No. 84, No. 100, No. 106, No. 140, and No. 238, contained in the foregoing message, were each severally read a first time and passed to a second reading on to-morrow.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit: Bills No. 30, No. 64, No. 116, No. 225, No. 243, No. 263, and No. 335.

House bill. No. 30. A bill to amend the seventy-eighth section of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts in this State, approved June 17, 1852.

House bill No. 64. A bill authorizing aliens to hold lands in the State of Indiana by purchase or otherwise.

House bill No. 116. A bill to require the manufacturers and venders of copyright medicines, or prescriptions commonly known as patent medicines, to label packages, bottles, or boxes in which said medicines or prescriptions are contained, with the names and quantity of the various kind or kinds of medicines, articles or ingredients, composing such composition of medicines, and providing a penalty for the violation thereof.

House bill No. 243. A bill fixing the time of holding the Circuit Court in the First Judicial Circuit, and repealing all laws in conflict therewith.

House bill No. 263. An act to amend section seventeen, of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State," &c., approved March 5, 1859.

House bill No. 335. A bill to raise a revenue for State purposes for the years 1861 and 1862.

In all of which the concurrence of the Senate is respectfully requested.

House bills No. 30, No. 64, No. 116, No. 225, No. 243, No. 103, No. 263 and No. 335, were each severally read a first time and passed to a second reading on to-morrow.

On motion by Mr. Conner,

The Senate took up

HOUSE BILLS ON SECOND READING.

House bill No. 13. A bill making provision for the refunding of license money illegally collected under an act entitled "an act concerning license to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain, approved June 15, 1852,

Was read a second time, and referred to the Committee on Finance.

House bill No. 42. A bill to authorize the Gibson County Circuit Court, to hear testimony and make a decree in reference to the erection and sale of the County Seminary of said county,

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 46. A bill to legalize the acts and proceedings of certain special terms of the Circuit Court,

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 52. A bill to authorize justices of the peace to administer any oath required by law,

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 62. A bill to authorize the Bank of the State of Indiana to lay off and establish five additional Bank Districts, and to locate and establish Branches therein,

Was read a second time.

Mr. March moved the following amendment:

Strike out from the enacting clause and insert the following:

That the Bank of the State shall have power to change the location of any three of its present branches to such other points in the State as will more fully supply the business wants of the State.

The new districts shall be laid off in branches, or joined to the provisions of the charter of said bank.

The bill and pending amendment were referred to the Committee on Banks.

House bill No. 69. A bill to amend an act providing for serving process upon the officers, directors, attorneys or agents of any railroad company. Approved March 4, 1852.

Which was read a second time, and referred to the Committee on Judiciary.

House bill No. 76. A bill to amend section one of an act entitled "An act authorizing county recorders and county surveyors to issue fee bills." Approved March 5, 1855.

Was read a second time and referred to the Committee on County and Township Business.

House bill No. 81. A bill to quiet the title of a piece of ground in Vanderburgh county, known as out lot No. 5, according to the plan of out lots laid out by Robert M. Evans, on part of northwest quarter of section 29, of township 6, south of range 10 west.

Which was read a second time, and referred to the Committee on Judiciary.

House bill No. 161. A bill to amend the eleventh section of an act entitled "An act to provide a treasury system for the State of Indiana; for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys.

Was read a second time, and referred to the Committee on Finance.

House bill No. 173. A bill supplemental to an act entitled "An act to provide for the relocation of county seats, and for the erection of public buildings in case of such relocation," approved March 2, 1855, so as to provide for the relocation of county seats, and for the erection and preparation of county buildings, in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court-house, and when a deed has been executed; to provide, also, for the transfer of any equitable title, for the terminations of actions growing out of such relocation, and for the transfer of the former county property, approved December 28, 1858; so as to provide for the relocation of county seats in counties where no court-house has been erected, which have been formed out of the territory of another county, and for the transfer of the county officers' books, &c.

Was read a second time.

Mr. March offered the following amendment:

Add to 4th section the following:

Provided, That whenever public buildings have been erected upon the old county seat previous to the passage of this act, and the proposed new site is not more than one mile from the center of the county, the petitioners shall be required to secure to the county board the fair value of said building as fixed by the Board and entered upon their order book, which in such case shall be in lieu of said one hundred and sixty acres of land, said sum of one thousand dollars, and sum provided for in the third section of the act approved March 2, 1855, to which this act is supplemental.

Insert "or counties," after county, in first section.

On motion,

The bill and amendments were referred to the Committee on County and Township Business.

House bill No. 324. A bill to repeal all laws now in force establishing the times of holding circuit courts in the second judicial circuit, to fix the time of holding said courts, requiring all persons to take notice thereof, providing for return of process, and declaring when this act shall take effect.

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

House bill No. 283. A bill to provide for the payment of interest on the State debt due January 1, 1861.

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 216. A bill to amend the first and second sections of an act in relation to special elections. Approved May 13, 1852.

Was read a second time and referred to the Committee on Elections.

Senate bill No. 243. A bill to amend the title and section one of an act entitled "An act concerning promissory notes and bills of exchange," approved May 12, 1852, so as to include bonds and other instruments in writing.

Was read a second time and referred to the Committee on the Judiciary.

Senate bill No. 244. A bill providing for the erection of a monument over the remains of Jonathan Jennings, and making an appropriation therefor.

Was read a second time and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 246. A bill to provide for the care and safe keeping of the public tools for working on and repairing the highways.

Was read a second and referred to the Committee on Roads and Highways.

Senate bill No. 247. A bill to create the twenty-second district of the Court of Common Pleas, and to attach the county of Washington to the Common Pleas district composed of the counties of Jennings, Lawrence, and Jackson; to fix the time of holding Courts therein; to regulate the return of process, and to repeal all laws in conflict therewith,"

Was read a second time, and referred to the Committee on Organization of Courts.

Senate bill No. 248. A bill to amend the third and fourth sections of an act fixing the time and mode of electing State Printer, defining his duties, fixing compensation, and repealing all laws in conflict with this act, passed March —, 1859, requiring State Printer to furnish, &c.,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 249. An act to amend the first section of an act to amend the first section of an act concerning licenses to vend foreign merchandize, to exhibit any caravan, menagerie, rope and wire dancing, puppet show, and legerdemain, approved June 15, 1852; and for the encouragement of agriculture and concerning the licensing of stock and exchange brokers, approved March 7, 1851,

Was read a second time.

Mr. Line offered the following amendment:

SECTION —. Any supervisor failing to comply with the provisions of this act shall, on conviction thereof before any Court having competent jurisdiction, be fined in any sum not exceeding five dollars, for the use of the road district in which said supervisor shall reside.

The bill and pending amendment was ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 250. A bill authorizing liens in favor of attorneys and counsellors at law in certain cases,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 251. A bill to ascertain the amount of the fees and salaries of the clerk of the Supreme, Circuit, and Common Pleas Courts of this State, of the sheriff of the Supreme Court and of the various counties of this State, of county auditors, treasurers, and recorders, and to provide punishment for a violation of its provisions,

Was read a second time, and referred to the Committee on Finance.

Senate bill No. 252. A bill to authorize the construction of levees and drains, and the improvement of any river, creek, or other water-course,

Was read a second time, and referred to a select committee of three, consisting of Senators Conner, Line, and Beeson.

Senate bill No. 253. A bill to provide a more just and humane system of medical attendance to paupers in townships, county asylums, or county jails, and to repeal all laws or parts of laws in conflict therewith,

Was read a second time, and referred to a select committee of four, consisting of Senators Williams, March, Ray, and Steele.

Mr. Miller offered the following instructions:

To amend, so as to exclude all steam, water, and spirituous doctors from taking out license.

The instructions were referred with the bill to the same select committee.

Senate bill No. 254. A bill to provide for taking an enumeration of the white male inhabitants of the State of Indiana over the age of twenty-one years; and defining the duties of certain officers in relation thereto.

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 255. A bill to amend section eighteen of an act entitled an act prescribing the powers and duties of justices of the peace, approved May 29, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 256. A bill to provide for the confession of judgments in Courts of Record upon certain conditions therein named, and to enable parties in civil suits in the Courts of this State, to have judgment without filing a declaration other than the instrument upon which judgment is asked,

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill No. 258. A bill to amend section one hundred and five of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in criminal cases in the Courts of this State, approved June 17, 1852,

Was read a second time, and referred to the Committee on Judiciary.

Senate bill No. 257. A bill to amend section two of an act entitled an act to provide for a treasury system for the State of Indiana, for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of public moneys,

Was read a second time, and referred to the Committee on Banks.

Message from the Governor by Mr. Holloway, his Private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 104, an act to amend an act entitled "an act to amend the first section of an act concerning real property and the alienation thereof, approved May 6, 1852, approved March 2, 1859, and to legalize conveyances made by Indians, negroes, and mulattoes, and other persons of mixed blood, and has caused the same to be filed in the office of the Secretary of State.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill thereof, No. 328.

House bill No. 328. A bill to amend the fourth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms and declaring when this act shall take effect, and repeal all laws inconsistent therewith," approved March 5, 1859, and providing for the return of process to the terms fixed by this act, and declaring when this act shall take effect.

In which the concurrence of the Senate is respectfully requested.

House bill No. 328, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

Mr. Blair introduced

Senate bill No. 263. A bill to provide for the erection of a State House of Refuge, for the reformation and correction of juvenile offenders, and to repeal sections three, four and six of an act entitled "an act to provide a site, system of government, and plans for the correction and reformation of juvenile offenders," approved March 3, 1855,

Which was read a first time, and passed to a second reading on to-morrow.

Senate bill No. 264. A bill to amend the ninth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws in conflict therewith," approved March 5, 1859, and prescribing the times of holding, and the duration of, the terms of the Common Pleas Courts of the Counties of Clay, Owens, Green and Putnam,

Was read a first time, and passed to a second reading on to-morrow.

Mr. March introduced

Senate bill No. 265. A bill to provide for the execution of conveyances by county auditors for school bonds, where the certificate has not been properly assigned or assignment acknowledged in certain cases,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Conley introduced

Senate bill No. 266. A bill fixing the time of holding the Circuit

Court in Owen county, and repealing all laws in conflict with the provisions of this act,

Which was read a first time, and passed to a second reading on to-morrow.

Leave being granted,

Mr. Murray, from a select Committee, made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred Senate bill No. 134, (on the subject of licensing dogs) have had the same under consideration, and instructed me to report the same back, with the following amendments, after the adoption of which, they recommend its passage:

Amend section first, third line, after the word "cause," by inserting "his, her or their dogs."

Amend section second, fourth line from the end of said section, by inserting after the word "two," "nor more than ten."

Add to section five, the following: "And any surplus that may arise under the provisions of this act shall be school funds, and distributed equally to the schools in said township annually."

Insert the following after the ninth section:

SECTION 10. Any person or persons being the owner of any dog or dogs, and refusing to comply with the provisions of this act, said dog or dogs are hereby declared a nuisance.

The report was concurred in, the amendments adopted, and Senate bills No. 133 and No. 134 were made the special order for to-morrow at 2 o'clock, P. M.

On motion by Mr. March,

Resolved, That the Attorney General be requested to report to the Senate, as soon as practicable, whether, in his opinion, there is any defect in the act relative to salaries of public officers, approved March 5, 1859, by which such officers can legally avoid accounting to the Auditor of State and paying into the State Treasury, all fees, emoluments, perquisites or gratuities received by them as provided in the third section of said act.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to which was referred Senate bill No. 68, entitled "a bill to establish an insurance department, provided—
S. J.—45.

ing for a commission thereof, prescribing the mode of his election and defining his powers and duties," have had the same under consideration, and have directed me to report the same back with certain amendments, and when so amended, to recommend its passage, to-wit:

Strike out from section two all that relates to the election of the Insurance Commissioner by the Legislature, and insert the following:

He shall be appointed by the Governor, and shall hold his office for the term of four years, and until his successor is appointed and qualified.

Amend further by adding to section five the following provision:

The Insurance Commissioner shall not represent or act as agent for any insurance company, nor be interested in the profits of any insurance agency within this State, nor be connected directly or indirectly with any insurance company, and a violation of this provision shall be sufficient cause for the removal of such Commissioner by the Governor.

On motion,

The report and bill were referred to the Committee on Finance.

Mr. Newcomb, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to which was referred Senate bill No. 69, have had the same under consideration, and have directed me to report the same back, with an amendment, and when so amended, to recommend its passage.

Amend the seventh section by striking out the word "fifty" when it occurs and insert "twenty-five," and strike out the word "five" when it occurs and insert the word "three."

Also, add to section seven the following: "The Insurance Commissioner shall, at the expiration of each year of his service, file in the office of the Secretary of State, a detailed statement of all the fees by him received under the provisions of this act during the preceding year, and any excess by him received over the sum of two thousand dollars per annum, shall be by him paid into the State Treasury as a part of the revenue of the State, and if a vacancy shall occur in said office before the expiration of his term, he shall, when the vacancy occurs, except by the death of such officer, file the like affidavit, and pay over all the excess of fees received by him over the rate of two thousand dollars per annum."

On motion,

The report and Senate bill No. 69, therein contained, with the pending amendments, were referred to the Committee on Finance.

Mr. Teegarden, from the Committee on Benevolent Institutions, made the following report :

MR. PRESIDENT :

The Committee on the Benevolent Institutions of the State, to whom was referred resolution No. 13, introduced by Mr. Stone, in relation to inquiring into the expediency of providing an Asylum of Inebriates, having had the same under consideration, have directed me to report, that in the opinion of the Committee, it is inexpedient to legislate upon the subject in the present condition of the finances of the State,

Which was concurred in.

Leave being granted,

Mr. DeHart introduced,

Senate bill No. 267. A bill to authorize county boards to make allowances to sheriffs or other officers for pursuing criminals or felons,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Newcomb introduced

Senate bill No. 268. A bill to provide for entering satisfaction of mortgage upon the mortgage records of the several counties of this State, executed to the State Bank of Indiana, in cases where such mortgages have been satisfied by payment or otherwise,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Robinson, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the petition of J. D. Stephenson, have had the same under consideration, and have directed me to report the same back, and recommend that the petition lay on the table,

Which was concurred in.

Mr. Wolfe offered the following resolution :

Resolved, That in view of the anticipated fact that the earnest protestations of the Democracy and other Union-loving people have

compelled Mr. Lincoln to take a stand for compromise, as the only means of preserving the Union of the present adhering States, it is the duty of the Republican members of this Senate to reconsider and take back all their long coercion and anti-compromise speeches; and especially that portion of them in which they denounce the friends of compromise, as traitors to the country, seeing that such denunciations will likely include the Lincoln-Seward administration,

Which was referred to the Committee on Federal Relations.

On motion by Mr. Bearss,
The Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
March 1, 1861.

The Senate met.

Portions of the Journal of the preceding day were read by the request of members.

Mr. Wolfe moved to amend the Journal so as to insert the minority report of the Committee on Printing, where the Journal states that the report was made, which had been rejected by the Senate.

The Chair decided the motion to be out of order, for the reason that the minority report had been rejected by the Senate, and should not appear upon the Journal, and that the only method by which the minority report could be placed upon the Journal, would be by a motion to reconsider the vote taken upon yesterday, by which the Senate rejected the report.

Messrs. Studabaker and Carnahan appealed from the decision of the Chair as follows:

Mr. Wolfe moved to correct the Journal by inserting the minority report on Printing, at the place where the Journal shows the minority report was rejected, by inserting the following: minority report, (H. J.) the Chair refused to entertain the motion on the ground that the Senate had rejected the minority report, and that a motion to reconsider that vote would be in order, but not a motion to correct the Journal, from which decision of the Chair the Senator from Adams appealed.

Mr. Murray moved to lay the appeal upon the table.

Pending which,
Mr. Wagner moved a call of the Senate.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson and Wolfe—44.

Pending the call of the Senate,

On motion by Mr. Ferguson,
Mr. O'Brien was excused from the call.

On motion by Mr. Carnahan,
A further call of the Senate was dispensed with.

The question recurring upon the motion to lay the appeal upon the table.

The ayes and noes being demanded by Senators Carnahan and Murray.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner and Wagner—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Line, Lomax, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—16.

So the appeal was laid upon the table.

Mr. Ferguson moved to suspend the rules and take up House bill No. 328.

Mr. Wagner moved to lay the motion to suspend the rules upon the table.

The ayes and noes being demanded by Senators Wagner and Conner,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Mellett, Miller, Steele, Teegarden, Turner and Wagner—17.

Those who voted in the negative were,

Messrs. Blair, Carnahan, Cobb, Conley, Culver, Ferguson, Hamilton, Hull, Johnston, Jones, Line, Lomax, March, Murray, Odell, Ray, Robinson, Shoemaker, Slack, Stone, Studabaker, Tarkington, Williams, Wilson and Wolfe—25.

So the motion to lay upon the table did not prevail.

The question recurring upon the motion to suspend the rules.

Mr. Mellett moved the previous question,
Which was seconded by the Senate.

The question being, shall the main question be now put?
It was agreed to.

The question recurring upon the motion to suspend the rules.

The ayes and noes being demanded by Senators Ferguson and Murray,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Culver, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Studabaker, Tarkington, Teegarden, Turner, Williams, Wilson and Wolfe—27.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, March, Mellett, Miller, Stone and Wagner—18.

So the rules were suspended, and

House bill No. 328. A bill to amend the 4th section of an act entitled "An act to fix the time of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process from the present common pleas courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, and providing for the return of process to the terms fixed by this act, and declaring when this act shall take effect.

Was taken up and read a second time.

Mr. Ferguson offered the following amendment:

Amend as follows:

Insert before the word "July," in the third line of fourth section these words: "second Monday of," so that the sentence will then read thus: "in the county of Scott on the fourth Mondays of November and March and second Monday of July."

The bill and amendment was referred to a select committee of three, consisting of Messrs. Ferguson, Anthony and Wolfe.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Turner presented a remonstrance from sundry citizens of Newton county, Indiana, against the passage of a bill to provide for the removal of county seats, &c.

Which was referred to the Committee on County and Township Business.

REPORTS FROM STANDING COMMITTEES.

Mr. Mellett, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 251. A bill to ascertain the amount of the fees and salaries of the clerks of the supreme, circuit and common pleas courts of this State, of the sheriff of the supreme court and of the various counties of this State, of county auditors, treasurers and recorders, and to provide punishment for a violation of its provisions.

Have had the same under consideration, and directed me to report the same back, and recommend its passage with the following amendments:

After the word "State," first line, seventh section, insert these words: "the circuit and district prosecuting attorney of this State."

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, chairman of Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 198, being a bill requiring county auditors to report to the Sinking Fund Commissioners and Superintendent of Public Instruction of the amount of school funds on hand or received, and prescribing penalties for the violation of this act, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendments to the title of said bill, and when so amended to recommend its passage.

Amend the title by substituting the following in lieu thereof, viz.: An act to require county auditors to make certain annual reports to the Sinking Fund Commissioners and Superintendent of Public Instruction, with respect to the surplus revenue fund, bank tax fund, saline fund, proceeds of county seminary sales, fines, and forfeitures, escheated estates, proceeds of sales of swamp lands, and all trust school funds distributed to, held, or belonging to their respective counties, and certain other matters properly connected therewith, and prescribing penalties for violation of this act.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Tarkington, from the Committee on Education, made the following report :

MR. PRESIDENT :

The Committee on Education, to whom was referred Senate bill No. 227, a bill to regulate the contingent fee on perpetual scholarships in the State University, and providing for the purchase of the same, have considered the same, and have directed me to report it back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Line, from the Committee on Education, to whom was referred Senate bill No. 75, a bill to amend the fifth section of an act to provide for the sale of county seminaries and the property belonging thereto, and to transfer the proceeds thereof to the common school

fund, after deducting advances made by individuals, and to repay such advances, approved June 12, 1852, have had the same under consideration, and have agreed to the following amendments, and when so amended they recommend its passage, to-wit:

Strike out the "one" in line twenty-two, and the word "half" in line twenty-three of section five, and insert in lieu thereof the words "two-thirds."

Also strike out the words "one-half" in line twenty-nine of section five, and insert the words "two-thirds,"

There being no law on the statute book authorizing the sale of seminary property at private sale, in case there is no sale of the property in a public manner, the committee deem the passage of the law of much importance.

All of which is respectfully submitted.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Anthony, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to which was referred Senate bill No. 225, a bill to amend section thirty-three of an act providing for the government of the State University, the management of its funds, and for the disposition of the lands thereof, approved June 17, 1852, and providing for the prompt collection of the interest on loans of said fund, and the duties of officers therein mentioned, have had the same under consideration, and direct me to report the same back to the Senate, and recommend that the bill be laid upon the table.

Which was concurred in.

Mr. Teegarden, Chairman of the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

The Committee on Benevolent Institutions of the State submit the following report, and ask its reference to the Finance Committee.

A. TEEGARDEN, *Chairman*.

The Committee in behalf of the Institute for the Blind, ask the Legislature to appropriate out of the Treasury, for the Institute for the Education of the Blind:

For general expenses for the year 1861	\$15,000 00
Less the amount appropriated for first quarter of 1861...	4,000 00
	<hr/>
	\$11,000 00
For general expenses for 1862.....	15,000 00
For the first quarter of 1863.....	4,000 00
	<hr/>
	\$30,000 00

The Committee in behalf of the Institute for the Education of the Deaf and Dumb, ask the Legislature to appropriate from the Treasury:

For general expenses, for 1861.....	\$30,000 00
Less the amount for the first quarter of 1861.....	6,200 00
	<hr/>
	\$23,800 00
For general expenses of 1862.....	30,000 00
For the first quarter of 1863.....	7,500 00
	<hr/>
	\$61,300 00
For the purpose of erecting Heating Apparatus, Laundry, Baking, Washing and Drying Rooms	29,000 00
	<hr/>
	\$90,300 00

The Committee in behalf of the Benevolent Institutions, ask the Legislature to appropriate out of the Treasury, for the Hospital for the Insane:

For general expenses for 1861.....	\$35,000 00
Less the amount appropriated for first quarter of 1861...	9,000 00
	<hr/>
	\$26,000 00
For the purpose of procuring wrought iron Bedsteads, to be contracted for 1861.....	1,000 00
For the purpose of replenishing Bedding and Furniture, 1861	1,000 00
For prosecuting Artesian Well, to be expended only in material for the same, 1861	200 00
For repairs on Laundry buildings	200 00
For general expenses for 1862.....	35,000 00
For the purpose of replenishing Bedding and Furniture for 1862.....	1,000 00
For the first quarter of 1863.....	9,000 00
For Library purposes for 1861 and 1862	400 00
	<hr/>
	\$73,800 00

The following is a statement of the appropriation and disbursements for the Institute for the Education of the Blind:

For general expenses for 1859.....	\$15,000 00
For Piano	300 00
For Heating Apparatus	300 00
For receipts for Clothing	2,431 68
	<hr/>
	\$18,031 68
Expended during the year	19,785 03
	<hr/>
	\$1,753 35
Appropriation for 1860	15,000 00
Receipts for Clothing	1,750 59
	<hr/>
	\$16,750 59
Expended during year	17,255 33
	<hr/>
	504 74
	<hr/>
	\$2,258 09

There was also appropriated for the first quarter of 1861, \$4,000 00

The following is a statement of the appropriation and disbursements for the Institute for the Education of the Deaf and Dumb:

For general purposes for 1857.....	\$25,000 00
Heating apparatus, furniture, &c.....	6,000 00
For appropriation for 1860.....	25,000 00
	7,567 51
	<hr/>
	\$63,567 51
Expenses during the years 1859 and 1860.....	63,164 08
	<hr/>
Balance in Treasury, Nov. 12, 1860	403 43

Corresponding with report, there was also appropriated
at the session of 1859, for the first quarter of 1861... \$6,250 00

The following is a statement of the appropriations and disbursements for the Hospital for the Insane, for the years 1859 and 1860, and for the quarter of 1861:

For general expenses for 1859	\$35,000 00
For general expenses for 1860.....	35,000 00
For Library, 1859.....	200 00
For Library, 1860.....	200 00

For Indebtedness, 1859	7,082 00
For Water, 1859.....	1,000 00
For Furniture, 1859	1,000 00
For Furniture, 1860	1,000 00
For receipts for Clothing	9,805 35

\$90,287 35

Amount drawn from the Treasurer for the years 1859 and 1860	89,811 08
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\$476 27

There was also appropriated, session of 1859, for the expenses of first quarter of 1861, the sum of..... \$9,000 00

Which was referred (without reading) to the Committee on Finance.

Mr. DeHart, from the Committee on Printing, made the following report:

MR. PRESIDENT:

The Committee on State Printing, to whom was referred Senate bill No. 4, entitled "A bill regulating the Public Printing of the State of Indiana, and fixing the compensation therefor, prescribing the duties of certain officers therein named; and to abolish the office of State Printer, and repeal all laws in conflict with this bill," introduced by the Honorable Senator from Delaware, have considered of the same, and have been led to the determination that it would be impolitic to abolish the said office, and let the Printing of the State to the lowest bidder, by the following considerations:

First. By retaining the office the State retains the power to select her workman. Though it may be, and has sometimes been, so neglected or abused, as to be of no value, this power is as well worth retaining by the State in her business as by any private citizen. No prudent and economical man leaves his work to hands he knows little or nothing about, if he has the power to select, because he knows that the best security for good work is an honest and skillful workman, and that the same pay will not command the same skill in different men. What a judicious man finds advisable in matters of economy a State ought not to disregard. It is true she may be indemnified against imperfect or extravagant work, in any man, however he may be selected, but indemnity for bad work, as a general principle of economy, cannot result in equal benefit, either to individuals or a State, as to have work well and honestly done in the first instance. The blundering publication of a single public document results in a loss to the State. If it does not cost a cent, its errors mislead the public, which should always be thoroughly and correctly informed,

incurs the expense of correction, and ends in delay and confusion. It is equally true, that the State may choose an incompetent workman. But she has the same remedy against his incompetence, that may be had against a workman who is selected through the chance of the "lowest bid." In any event, therefore, the State would be at no disadvantage by a continuance of said office, and is better off by the reasonable chance, and that with the power to chose whom she pleases, she may select a competent officer who will do good work, and save a resort to indemnities of any kind. If the question of compensation does not present itself, it is clear that the State, upon the ground of securing an honest and competent officer of her own, should retain the power to designate the man to do her work.

Second. The next consideration is that of compensation. Under the law as it now obtains, the State possesses the power to fix the pay of the State Printer at any standard she may deem just and adequate. That it should be fixed at the rate which private citizens pay for the same kind of work is right, that is, the rate established by ordinary healthy competition as the lowest at which work can be well and honestly done, and the State has the same right to its benefit that any of her citizens have. Allowing the Printer's pay to be fixed at that rate, viz: the rate established by healthy competition, the question arises, would it be wise or economical to reduce it lower? Clearly not. In the opinion of the Committee, adequate pay takes away the inducement to steal. Insufficient pay holds out a premium to theft, to make up the deficiency. And when stealing has once acquired a momentum, it has not often been found to stop at that point which merely raises wages to a living rate. No man who looks at his wages alone as the reward of his toil will give his time and skill for a price below that which a healthy competition would fix it. If he does, he would do himself and those who depend upon him an injustice. If the State exacts it she will lose in dishonest artifices all or more than she may gain by reducing the price of labor and skill below the just and proper standard. The difference between the honest price of fair competition and that price established by "honest bidding," can be easily made up by "tricks of the trade," which the officers of State cannot detect, and no action of the Legislature reach and remedy. Now, if there would be no saving by compelling the State Printer to work for less than the fair living rate established by ordinary healthy competition, is there likely to be any more saving by compelling or allowing a contractor to do it? With the Printer's pay fixed at the fair and ordinary rate, or with the power to fix it at that rate, a proposition to abolish said office, and let the work to the lowest bidder, is in fact a proposition to change without the possibility of any benefit to the State, with the cost, delay and trouble always attendant upon change. It is a rule of political economy, that those who propose to inaugurate a new policy, by the removal, or even through the agency of an existing one, should first satisfy the community to be affected thereby, that the new policy proposed

would not only result in equal advantage to the State or community as would the continuance of the tried policy, but be required to furnish satisfactory reasons that the benefit of the reform would overbalance the advantages of the established system. If it would only yield equal advantage, it should be rejected. It has been the experience of Legislatures that the hasty repeal of statutes, which have been thought, for slight reasons, to operate unbeneficially, has in the end been found unwise by the "evil consequences which have followed the innovation. Under the law as it now stands, the State has the power to select her workmen, an advantage which she should be loath to let pass from her hands. In addition to this, the State has the power to fix the wages of the State Printer. These wages should be fixed at that rate at which honest competition would fix them. Whether or not the prices now allowed have been established upon that sound basis, your committee is not advised, nor would it be pertinent to this report. In the opinion of your committee that matter should be investigated, the fair and honest price of competition ascertained, and the law so amended as to allow that price, nothing more, nothing less. Neither can the committee at this time report whether the prices heretofore paid the State Printer have been paid in accordance with the statute regulating the same, that information can be learned from a report to be soon submitted. The investigation has been commenced, and will be very much aided by the adoption of a resolution requiring the Secretary of State to furnish the statement, if any are on file, of the State Printer of all work done by him for the State during the last ten years, together with the prices allowed therefor. In other words, requiring the Secretary of State to certify whether or not section four of the "act fixing the time and mode of electing State Printer, defining his duties, fixing compensation, and repealing all laws coming in conflict therewith," has been complied with for the last two years.

Third. The arguments for the retention for the office of State Printer gain additional strength from the doubtful advantages of the only substitute that has ever been proposed, viz: "letting the work to the lowest bidder." The first argument for this mode of doing State work is that there is no propriety in the election of an officer to do mechanical work; that the State might as properly elect a State wood-sawyer or State draymen to perform the work of that kind which she needs done. This argument reaches no further than the question of appearances, and might be disregarded. It is a sufficient reply to it, that the work has to be done by *somebody*, and if it can be better done by some one who is especially appointed to do it, than by *anybody* who may chance to *bid lowest*. The looks of the thing can be safely passed as of little consequence. The dandified statesmanship which consults proprieties rather than substantial advantages may be properly inaugurated when the State is in a better condition to put on airs. The second and main argument is that the contract system is the cheapest, the competition of numerous appli-

cants inevitably reducing bids to a very low figure. The first consideration that presents itself in examining this argument is that it rests the whole matter upon the question of wages. The choice of a workman is ignored as of no importance. It presupposes that all bidders are equally honest, and that anybody can do the work well who offers to try. It need hardly be shown that this assumption is an error. The second consideration under this head is that adverted to in a preceding part of this report. That is, where wages are reduced to the rate established by ordinary competition, nothing is to be gained, but much lost by reducing them still lower. If the State, in the management of her affairs, can have her work done as it is done for private citizens, the limit of economy is reached, and further reduction must operate either as oppression upon the workman, or as inducement to dishonest dealing. Nothing good can come out of such a policy. The hope of procuring from a succeeding Legislature an appropriation to make good a deficiency, in many cases, would operate to reduce bids to a very low standard—a standard which cannot be adhered to without loss to the bidders, in the event of the dissipation of his *hope*. Every man who has had experience with public contractors, knows that they have a way of making as much out of a contract procured by a low bid, as though it had been let at low wages. They understand the “art of measuring,” and printing contract are just as wide open to long measurement, as ditching or any other contract. Cheapness, therefore, and economy are by no means a sure result of letting the State printing out to the lowest bidder. Honest men will not make bids below a fair living price. They expect to do good work, and must have a fair price therefor. That price the Legislature can put upon the State Printer, and save the delay and inconvenience of changing the present system. The State Printer, therefore, can be placed exactly in the place of an honest bidder, so far as price is concerned. There is no room, then, for saving in the bidding system, unless bids run lower than the fair rate which the State may establish as just and adequate, and in that event the State must suffer, or the bidder be oppressed, who is likely to have lower than a fair price, dearly the man who is willing to adopt dishonest agencies to make a low price pay well. A man who means to take advantage of every crevice in the law, or in his contract or even take less equivocal advantage in the way of “public plunder” is the man who can afford to bid the lowset, and against *such a bidder* an honest man has no chance. By adopting the chance system of bidding, the State runs a serious risk of putting her work into the hands of those, who advertise their purpose to cheat her by the very proposals they make to secure her work. The State then has no security either for cheapness or better work, by leaving both the workman and the wages to be determined by the chances of the lowest bid. There can be certainty in one case if care be exercised in the selection of a Printer. In the other, everything is uncertain, both workmen and wages.

Fourth. The contract system has been tried and abandoned. The result confirms the views herein presented. So annoying were the short comings of that system in this State, some twenty-five years ago, and so regularly was the deficient pay of the contract asked to be made up in a deficiency bill, that the Legislature abolished the system and appointed a man to do the work at a rate of wages esteemed fair and sufficient at the time. During the present session of the Legislature additional safeguards have been thrown around the office of State Printer. First—The printing has been separated from the binding. Second—The State Printer, according to an amendment to the third section of the act fixing the time and mode of electing said Printer, is now required to furnish all stationery necessary for the printing purposes of the State, fixing the quality and allowing the wholesale current price therefor, and requiring him to submit quarterly to the Secretary of State a specific statement of all stationery so furnished and work done, the statements to be verified by affidavit and kept on file for the inspection of the General Assembly, or a Committee thereof.

Your Committee have been instructed to ascertain whether the State Printing has been done under the prices established by the act of 1859, and whether those prices are too high. If they are found to be at too high a rate, then the Committee recommend that they be reduced to and fixed at that rate at which fair and honest competition establish it. There is, therefore, in the opinion of the Committee, no reason why said office should be abolished, but many substantial reasons for its continuance. Let the proper safeguards be placed about it, and it will become what it ought to be, the efficient and chosen agent of our State scanned and controlled by the Legislature. The bill is reported back, and recommended to lie upon the table.

Mr. Murray moved to concur in the report of the Committee by instructing the Committee on Printing to amend the law of 1859 fixing the compensation of State Printer, so as to reduce the compensation of that office fifteen per cent. on all work performed for the State, and report by bill or otherwise.

Mr. Hamilton offered the following amendment to the amendment:

Amend the amendment by striking out fifteen and insert thirty.

On motion by Mr. Wolfe,

The report and pending amendments were laid upon the table until the minority of the Committee on Printing could make a report.

Mr. Steele, from the Committee on Finance, made the following report:

MR. PRESIDENT :

The Committee on Finance, to whom was referred Senate bill No. 121, with certain amendments, said bill being a bill supplementary to an act to authorize and regulate the business of General Banking, passed March 3, 1855, authorizing the Auditor and Treasurer of State to surrender the securities and monies deposited in certain cases, have had the same under advisement, and have directed me to report the same back to the Senate, without amendment, and recommend its passage.

The report was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Conley, from a Select Committee, made the following report :

MR. PRESIDENT :

The Select Committee, to whom was referred House bill No. 86, a bill to amend sections eight and ten of "an act providing for the election and qualifications of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, have had the same under consideration, and have directed me to report it back, with the following amendments, and when so amended to recommend its passage.

Amend section second, line sixteen, by inserting the words "exclusive original," before the word "jurisdiction;" also, after the word "exceed," in line twenty-one, insert "one hundred dollars," and in the same line, and immediately preceding the word "two," insert the words "and concurrent jurisdiction to the amount of;" also, add the following: "But no justice shall have jurisdiction in any action of slander for malicious prosecution or breach of marriage contract, nor in any action wherein the title to lands shall come in question, or the justice be related by blood or marriage to either party."

Mr. Newcomb offered the following amendment:

Strike out that part of the report which prohibits justices of the peace from taking jurisdiction in slander suits,

Which,

On motion by Mr. Wagner,

Was laid upon the table.

Mr. Wagner moved the previous question, which was seconded by the Senate.

The question being, shall the main question be put?

It was agreed to.

S. J.—46.

The question recurring upon concurring in the report of the committee,

It was concurred in, and the amendments were adopted.

Mr. Williams moved that the bill be considered engrossed and read a third time now,

Which was agreed to, and House bill, No. 86, contained in the foregoing report was read a third time.

Mr. Bearss moved the previous question.

The question being, shall the main question now be put?

It was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Campbell, Carnahan, Conley, Craven, Culver, DeHart, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Odell, Robinson, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, and Wilson—31.

Those who voted in the negative were,

Messrs. Anthony, Blair, Claypool, Cobb, Conner, Dickinson, Ferguson, Miller, Newcomb, Ray, Slack, Studabaker, and Wolfe—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Claypool, from a joint committee, made the following report:

MR. PRESIDENT:

The joint committee who were instructed to propose a plan for the liquidation of the State debt, have had the subject under consideration, and instruct me to report, recommending that the Commissioners of the Sinking Fund be authorized and instructed to invest the Sinking Fund in the five per cent. stocks of the State, that the present levy of two cents on the hundred dollars be continued for the year one thousand eight hundred and sixty-one, and that a levy of five cents on the hundred dollars be made for each succeeding year, to continue in force until the said debt is paid, and that the proceeds

of said levy shall first be applied to the payment of the debt of three hundred and three thousand dollars due the Common School Fund,
Which was concurred in.

On motion by Mr. Cobb,
The order of business was suspended, and Mr. Cobb offered the following resolution:

Resolved, That the Door-keeper be instructed to procure, for the use of each Senator, two dollars' worth of postage stamps, that they may have the wherewith to transmit documents to their constituents.
Which was agreed to.

On motion by Mr. Conley,
The order of business was suspended, and Mr. Conley offered the following resolution:

Resolved, That no Senator shall speak longer than five minutes on questions under consideration, except by the unanimous consent of the Senate.

Mr. Line moved to strike out "five" and insert "ten,"
Which was not agreed to.

Mr. Cobb moved to strike out "five" and insert "twenty,"
Which was not agreed to.

Mr. Ray moved to strike out "five" and insert "one,"
Which was not agreed to.

Mr. Tarkington moved to lay the resolution on the table.

Mr. Claypool moved the previous question.

Mr. Wolfe moved to amend by striking out "five" and inserting "sixteen,"
Which was not agreed to.

The question being, shall the main question now be put?
It was agreed to.

The question recurring upon the adoption of the resolution,
It was agreed to.

Mr. Conner, from the Committee on Corporations, made the following report:

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 71, being "a bill to provide for the incorporation of street railroad companies," have had the same under consideration, and directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to which was referred Senate bill No. 208, "a bill to amend sections three, five, and nine of an act entitled an act regulating the fees of officers, and repealing former acts in relation thereto," have had the same under consideration, and direct me to report said bill back to the Senate, with the following amendments :

Amend section five, by inserting—

Provided, That the sheriff shall be allowed for extra services not over one hundred dollars.

In section five, insert the word deputies after the word bailiffs; and amend so as to fix the fees of clerks of the Circuit Court for making up all dockets at twenty cents. And the fees of the clerk of the Supreme Court shall be the same for making docket as the clerk of the Circuit Court.

Amend section nine, by striking out specification number six, and inserting the following :

"Three per cent. on all sums over five and under fifteen thousand dollars."

And when so amended, recommend its passage.

Mr. Wagner moved to concur in the report with the following amendment :

"Amend by striking out all that relates to county treasurers."

Mr. Williams moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Wagner and Williams,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Claypool, Cobb, Craven, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Landers, Lomax, March, Mellett, Murray, Newcomb, Odell, Slack, Stone, Studabaker, Turner, and Williams—23.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Blair, Carnahan, Conley, Conner, Cravens, Culver, DeHart, Hull, Line, Miller, Robinson, Steele, Tarkington, Teegarden, Wagner, and Wilson—18.

So the amendment was laid upon the table.

Mr. Stone moved to concur with the following amendment:

Amend in the proper place, so as to provide that nothing shall be paid the county treasurers for paying out the county tax, whether in county orders or other funds.

The ayes and noes being demanded by Senators DeHart and Bearss,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Claypool, Cobb, Craven, Dickinson, Ferguson, Grubb, Johnston, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, Slack, Steele, Stone, Studabaker, and Williams—22.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Blair, Carnahan, Conley, Conner, Culver, DeHart, Hamilton, Hull, Odell, Ray, Robinson, Teegarden, Turner, Wagner, and Wilson—17.

So the report was concurred in, the amendments adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. Wagner introduced

Senate bill No. 269. An act to district the State of Indiana, for the purpose of selecting members to the Congress of the United States of America,

Was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner introduced

Senate bill No. 270. A bill creating a Common Pleas district of certain counties therein named, and providing for the appointment and election of judges and prosecuting attorneys thereof,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Landers introduced

Senate bill No. 271. A bill to amend section one of an act entitled an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers, and duties in civil cases,

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner introduced

Senate bill No. 272. A bill to enable county commissioners to remove county seats in certain cases,

Was read a first time, and passed to a second reading on to-morrow.

On motion by Mr. Wagner,

The Senate took up

SENATE BILLS ON SECOND READING.

Senate bill No. 260. A bill releasing all the right, title, interest and claim of the State of Indiana in and to the ——— quarter of section No. ——— in town No. thirty, north of range twelve east, situate in Allen county, to William Rockhill,

Was read a second time, and referred to a select committee of three, consisting of Senators Hamilton, March and Johnston.

Senate bill No. 261. A bill regulating the licensing of pilots at the Falls of the Ohio river, requiring bond and security of such pilots, prohibiting any unlicensed person from acting as such pilot, providing for the compensation of such pilots, and the revocation of their licenses, and repealing all laws and parts of laws in conflict herewith,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 262. A bill to amend the eleventh and twenty-fourth sections of an act entitled "an act regulating the election and duties of State Librarian," approved May 27, 1852, and to punish the violation of its provisions,

Was read a second time and ordered to be engrossed, and read a third time on to-morrow.

Senate bill No. 263. A bill for the erection of a site, house of refuge for the reformation and correction of juvenile offenders, and to repeal sections three, four and six of an act entitled "an act to provide for a site, system of government and plans for the correction and reformation of juvenile offenders," approved March 5, 1855,

Was read a second time, and ordered to be engrossed.

Senate bill No. 264. A bill to amend the ninth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration thereof, and making all process from the present Common Pleas Courts returnable to such terms and declaring when this act shall take effect, and repealing all laws in conflict therewith," approved March 5, 1859, and prescribing the times of holding, and the duration of the terms of the Common Pleas Courts of the counties of Clay, Owen, Greene and Putnam,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 265. A bill to provide for the execution of conveyances by county auditors for school lands, where the certificate has not been properly assigned, or assignment certificate acknowledged in certain cases,

Was read a second time and referred to the Committee on the Judiciary.

Senate bill No. 266. A bill fixing the time of holding the Circuit Court in Owen county, and repealing all laws in conflict with the provisions of this act,

Was read a second time and referred to a select committee of three, consisting of Senators Johnston, Conley and Wilson.

Senate bill No. 267. A bill to authorize county boards to make allowances to sheriffs or other officers for pursuing criminals or felons,

Was read a second time and referred to the Committee on Claims.

Senate bill No. 268. A bill to provide for entering satisfaction of mortgages upon the mortgage records of the several counties of this

State executed to the State Bank of Indiana in cases where such mortgages have been satisfied by payment or otherwise,

Was read a second time, and referred to the Committee on the Judiciary.

On motion,

Mr. O'Brien was granted leave of absence for the remainder of the session.

HOUSE BILLS ON SECOND READING.

House bill No. 30. A bill to amend the seventy-eighth section of an act entitled an act to revise, simplify and abridge the rules, practice, pleading and forms in criminal actions in the courts of this State, approved June 17, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 100. A bill authorizing township trustees to assign certificates of purchase of saline lands which were purchased with district school funds by the inhabitants of school districts in Congressional townships for school house sites,

Was read a second time, and referred to the Committee on Education.

House bill No. 106. An act to amend the thirteenth section of an act entitled "An act defining misdemeanors, and prescribing the punishment therefor."

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 238. A bill supplemental to an act to require surviving partners to file inventories and appraisement in the office of the clerk of the court of common pleas, and to report the liabilities of the firm.

Was read a second time and referred to the Committee on the Judiciary.

House bill No. 64. A bill authorizing aliens to hold lands in the State of Indiana, by purchase or otherwise.

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 116. A bill to require the manufacturers and vendors of "copy right" medicines or prescriptions, commonly known as "patent medicines," to label packages, bottles or boxes, in which said medicines or prescriptions are contained, with the names and quantity of the various kind or kinds of medicines, articles or ingre-

dients composing such composition of medicines, and providing a penalty for the violation thereof.

Was read a second time, and referred to the Committee on Finance.

House bill No. 84. A bill regulating interest on money, and to repeal an act entitled "An act concerning interest on money," approved May 27, 1852; the fifty-first section of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852, and all other laws or parts of laws in conflict with this act.

Was read a second time and referred to a select committee of three, consisting of Senators Steele, Wilson and March.

Mr. Line moved that the Senate do now adjourn,
Which was not agreed to.

House bill No. 140. An act to authorize the President of the Board of Sinking Fund Commissioners to make deeds and satisfy mortgages in certain cases therein named.

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 325. A bill to raise a revenue for State purposes, for the years 1861 and 1862.

Was read a second time, and referred to the Committee on Finance.

House bill No. 263. A bill to amend section seventeen of an act entitled "An act fixing the time of holding the Common Pleas Courts in the several counties of this State, &c.," approved March 5, 1859.

Was read a second time and referred to a select committee, consisting of Messrs. Miller, Murray and Teegarden.

House bill No. 243. A bill fixing the time of holding the Circuit Court in the first judicial circuit, and repealing all laws in conflict therewith.

Was read a second time, and referred to the Committee on Organization of Courts.

On motion by Mr. Murray,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the special order of the day, being

Senate bill No. 133. A bill to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within the cities and towns, and to make allowance out of the county treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases. And

Senate bill No. 134. A bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs.

On motion by Hull,

The further consideration of the special order was postponed until 3 o'clock, P. M.

On motion,

The Senate took up the following message from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following bills thereof, Nos. 77, 114, 115, 124, 129, 139, 135 and 296.

House bill No. 77. An act to amend the sixth section of an act entitled "An act to incorporate the St. Joseph Iron Company," and to repeal the 7th, 8th, 9th, 10th, 11th and 12th sections thereof, approved January 22d, 1835.

House bill No. 114. An act to amend the first section of an act entitled "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, so as to provide for the incorporation of companies to furnish motive power to carry on such business, or to supply any city or village with water.

House bill No. 115. An act to amend an act entitled "An act supplemental to an act entitled 'An act to exempt property from sale in certain cases,' approved February 17, 1852," approved March 5, 1859.

House bill No. 124. An act to cure certain defects when persons have acted as deputies under the clerks of the Circuit Courts, by and with their consent, in this State.

House bill No. 129. An act to amend section 178, of the act entitled "An act providing for the settlement of decedents estates, prescribing the rights, duties and liabilities of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement. Approved June 17, 1852.

House bill No. 139. A bill to enlarge the legal capacity of married women, whose husbands are insane, and to enable them to contract, as if they were unmarried.

House bill No. 135. An act to amend section six of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, in the State of Indiana, for the election of township officers; and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and Treasurer and Auditor of State," approved June 21, 1852, so as to exempt from taxation real and personal property of widows, when the same does not exceed three hundred dollars in value.

House bill No. 296. A bill to amend section sixteen of an act entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State; the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith." Approved March 5, 1859.

In all of which the concurrence of the Senate is respectfully requested.

House bills Nos. 77, 114, 115, 124, 129, 139, 135 and 296 were severally read a first time, and passed to a second reading on tomorrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following joint resolution thereof:

House joint resolution No. 34. A joint resolution in relation to the publication of the reports of the State Board of Agriculture.

In which the concurrence of the Senate is respectfully requested.

House joint resolution No. 34, contained in the foregoing message, was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, Williams, Wilson and Wolfe—39.

No Senator voting in the negative,

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

BILLS ON THIRD READING.

Senate bill No. 121. A bill supplementary to an act to authorize and regulate the business of general banking, passed March 3, 1855; authorizing the Auditor and Treasurer of State to surrender the securities and monies deposited in certain cases.

Was read a third time.

Mr. Williams offered the following amendment:

Provided, That the same was redeemed at par.

Objections being made,

Mr. Williams moved to recommit the bill and amendment as instructions.

Mr. Claypool moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Claypool and Carnahan.

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Claypool, Conner, Craven, Culver, Hamilton, Hull, Line, March, Mellett, Miller, Murray, Robinson, Steele, Stone, Wagner and Wilson—19.

Those who voted in the negative were,

Messrs Berry, Campbell, Carnahan, Cobb, Conley, Cravens, Ferguson, Grubb, Johnson, Landers, Lomax, Newcomb, Odell, Ray, Shoemaker, Studabaker, Teegarden, Turner, Williams and Wolfe—20.

So the motion to recommit was not laid upon the table.

The question recurring upon the motion to recommit the bill with instructions.

The ayes and noes being demanded by Senators Williams and Claypool,

Those who voted in the affirmative were,

Messrs. Berry, Carnahan, Cobb, Conley, Craven, Culver, Ferguson, Grubb, Johnston, Landers, Lomax, Murray, Odell, Ray, Robinson, Shoemaker, Studabaker, Turner, Williams and Wolfe—20.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Claypool, Conner, Dickinson, Hamilton, Hull, Line, March, Mellett, Miller, Steele, Stone, Teegarden and Wagner—17.

So the motion to recommit the bill with instructions prevailed.

Mr. Craven offered the following additional instructions :

Appropriate the money on hand to the school funds of the State,
Which was not agreed to.

A message from the House by Mr. Gordon, Clerk thereof :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the Senate engrossed amendments to House bill No. 39.

A message from the House, by Mr. Gordon, Clerk thereof :

MR. PRESIDENT :

I am directed by the House of Representatives to report enrolled House bill No. 39, for the signatures of the President and Secretary of the Senate.

The President and Secretary signed the bill.

SPECIAL ORDER.

The Senate having resumed the consideration of the Special Order, being Senate bills No. 133 and 134,

Senate bills No. 133 and 134 were each read a third time.

Senate bill No. 134, a bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs, being under consideration,

Mr. Bearss moved the following amendment to Senate bill No. 134:

Amend, in the proper place, so as to except good coon or fox dogs from taxation,

Which the Chair decided to be not germane to the bill.

Mr. Wolfe moved to recommit Senate bill No. 134, with the following instructions:

Strike out that part in relation to paying the surplus of the dog license money into the school fund.

Mr. Line offered the following additional instructions:

To strike out "fifty cents" and insert "twenty-five cents," and to amend the bill so as to make its operations less complicated in its details.

On motion by Mr. Mellett,

The motion to recommit the bill with instructions was laid upon the table.

Mr. Odell moved to recommit Senate bill No. 134, with the following amendment:

Amend, so as to allow any person to own and keep one dog exempt from taxation, and that any person owning more than one dog shall pay a tax of one dollar each for every dog so kept or harbored more than the one hereby exempted.

On motion by Mr. Mellett,

The motion to recommit was laid upon the table.

Mr. Mellett moved the previous question,
Which was seconded by the Senate.

So the main question was ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Blair, Conner, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Mellett, Miller, Murray, Robinson, Stone, Teegarden, Wagner, and Williams—17.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Campbell, Carnahan, Claypool, Cobb, Craven, Ferguson, Landers, Line, Lomax, March, Newcomb, Odell, Ray, Shoemaker, Steele, Studabaker, Turner, Wilson, and Wolfe—22.

So the bill failed?

Senate bill No. 133. A bill to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within cities and towns, and to make allowances out of the county treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases, being under consideration,

Mr. Conley offered the following as an amendment to the bill:

SECTION —. It is hereby declared that an emergency exists for the immediate taking effect of this act, it shall therefore be in force from and after its passage,

Which was unanimously agreed to.

Mr. Newcomb offered the following amendment:

Strike out "three-fourths," and insert "one-half,"

Which was unanimously agreed to.

Mr. Claypool moved to recommit the bill, with instructions,

To strike out all that part which relates to paying out of the county treasury.

Mr. Conley moved to lay the motion to recommit upon the table, Which was agreed to.

Mr. Wagner moved to recommit the bill to a select committee of three, with instructions to strike out the third and fourth sections,

Which was agreed to.

The President appointed Senators Wagner, Line and Beeson, said select committee.

A message from the House, by Mr. Wilson, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to report to the Senate enrolled House joint resolution No. 34, for the signatures of the President and Secretary of the Senate.

The President and Secretary signed the bill.

On motion by Mr. Newcomb,

The Senate took up Senate bill No. 114.

Senate bill No. 114. A bill for the relief of borrowers of sinking funds, surplus revenue funds, saline fund, congressional school fund, and other funds, and to repeal a certain act therein named, prescribing how mortgages may be substituted, and matters properly connected therewith,

Was read a third time.

Mr. Studabaker moved to recommit the bill with instructions to strike out "1863," and insert "1862."

Mr. Hull moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Wagner and Hull,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Dickinson, Grubb, Hamilton, Hull, Johnston, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Steele, Stone, Teegarden, Turner, and Wagner—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Landers, Line, Lomax, Robinson, Slack, Studabaker, Williams, Wilson, and Wolfe—13.

So the motion to recommit was laid upon the table.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Clay-

pool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Steele, Stone, Teegarden, Turner, and Wagner—29.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Lomax, Robinson, Slack, Studabaker, Williams, Wilson, and Wolfe—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 115. A bill to amend the second and fifth sections of an act entitled an act to authorize the Commissioners of the Sinking Fund to receive substitutions of stock mortgages, and for other purposes, approved January 28, 1857, and containing some provisions respecting the reinstating of mortgages given for loans made from the sinking fund, or any funds loaned by the Auditor or Treasurer of State, and of sales made on account of any of said funds, and respecting the safety, collection, and control of said funds, the time, place, and manner of making sales, the proceedings against purchasers who fail to comply, and other matters properly connected therewith, and to authorize the conversion of Indiana stocks into bank bonds, and requiring the commissioners to account for the interests on deposits of the income of the fund, and making the same a part thereof,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, and Williams—33.

Those who voted in the negative were,

Messrs. Carnahan, Johnston, Landers, Line, Lomax, Slack, and Wolfe—7.

So the bill passed.

S. J.—47.

Ordered, that the Secretary inform the House thereof.

Mr. Wagner, from a select committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred Senate bill No. 133, an act to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within cities and towns, and to make allowances out of the county treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases, have had the same under consideration, and report back to amend as follows :

In section one, line eight, after the word "owner," insert "or other persons having charge;" and further amend by striking out sections three and four; and after so amended, recommend its passage.

The report was concurred in, and Senate bill No. 133 was put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Carnahan, Conley; Craven, Dickinson, Hamilton, Hull, Johnston, Landers, Line, March, Mellett, Miller, Newcomb, Odell, Stone, Turner, Wagner, Williams, and White—21.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Cobb, Conner, Ferguson, Grubb, Lomax, Murray, Ray, Robinson, Shoemaker, Slack, Steele, Studabaker, and Wolfe—15.

So the bill failed to pass, for want of a constitutional majority.

On motion by Mr. Landers,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
March 2, 1861. }

The Senate met.

On motion by Mr. Conner,

The reading of the Journal of the preceding day was dispensed with.

The President laid before the Senate, a communication from the Governor, with accompanying reports of the Auditor of State, Secretary of State, Treasurer of State, and President of the Commissioners of the Sinking Fund,

Which were referred to the Committee on Finance.

OFFICE OF AUDITOR OF STATE, }
Indianapolis, January 24 1861. }

His Excellency, O. P. Morton, Governor:

I have the honor to acknowledge the receipt of yours of the 5th date, in regard to the amount of fees and perquisites received by me since the fifth of March, 1859.

As the law in regard to salaries, which was approved March 5, 1859, did not go into effect until the sixth of August, 1859, I have given in my answer below, only the fees and perquisites which have accrued since that date, and been received by me from the State Treasury. As most of the fees are drawn annually, I have given the proportion collected for 1859, which accrued after the 6th of August, 1859, though they were not drawn from the Treasury, until some time subsequent to that date.

Salary Banking Department.....	\$2,125 00
Swamp Land Patents.....	492 50
Distribution of Swamp Land Fund.....	261 35
Per cent. for managing Trust Fund.....	548 93
From Trustees Wabash and Erie Canal.....	83 33
	<hr/>
	\$3,511 11

No fees have been drawn from the Treasury, except in pursuance of laws in force at the date of the passage of the law of March 5, 1859, and the question as to the effect of section nine, of that act, upon the laws in force giving fees, salaries and perquisites from other

persons and corporations than the State, to State officers, was submitted to Hon. Joseph McDonald, Attorney General, and a copy of his answer is hereunto annexed. The question submitted to the Attorney General, to test the effect of section nine of the law of 1859, on the laws already in force, was, whether the Auditor and Treasurer of State were entitled to the salary paid by the Bank as provided by the general Banking law of 1855, or, whether the same was repealed or amended by the law of March 5, 1859.

COPY.

OFFICE OF ATTORNEY GENERAL, }
September 20, 1859. }

John W. Dodd, Auditor of State:

Your note of the 15th instant, asking my opinion as to whether the act approved March 5, 1859, entitled "an act relative to the salaries of public officers," &c., repeals or amends the fifty-fifth section of an act entitled an act to authorize and regulate the business of general banking, passed March 3, 1855, and if it amends the same, to what extent, has been examined with reference to the question propounded.

It is quite clear that the act of 1859, above referred to, does not repeal section fifty-five of the act of 1855, on the subject of general banking, for the ninth section of the act of 1859 expressly provides that the act shall not be taken as a repeal of any law providing for the payment of fees, clerk hire or salaries paid by other persons or corporations than the State, to State officers, and as section fifty-five of the general banking law has express reference to such fees, it is saved by the saving clause above quoted.

Section nine, above quoted from, still further provides that "such fees shall be collected by the respective officers and paid into the State Treasury, as provided by this act." This clearly would be an amendment to the fifty-fifth section of the general banking law, if it did not conflict with section twenty-one, article four, of the Constitution, but this section of the Constitution provides that no act shall ever be revised or amended by mere reference to its title, but the act revised or section amended shall be set forth and published at full length. As an amendment it is palpably in conflict with the above section of the Constitution, and consequently void. And section fifty-five of the general banking law of 1855, above referred to, stands neither repealed or amended, and is in full force.

(Signed,)

JAS. E. McDONALD, *Att'y Gen'l.*

Respectfully,

JOHN W. DODD, *Aud. State.*

OFFICE OF TREASURER OF STATE, }
Indianapolis, January 28, 1861. }

To His Excellency, O. P. Morton:

DEAR SIR: In answer to your inquiry of the 24th instant, I have to say, that I have received no fees or perquisites, as Treasurer of State, since March 5, 1859, nor have any been paid into the Treasury. I am, sir,

Respectfully yours, &c.,
N. F. CUNNINGHAM, *Treasurer of State.*

SINKING FUND OFFICE, }
Indianapolis, January 24, 1871. }

To His Excellency, O. P. Morton, Governor of the State of Indiana:

SIR: I am in receipt of your letter of this date, wherein you say, "In pursuance of a resolution adopted by the House of Representatives of the Legislature of Indiana, on the 21st day of January, 1861, calling upon me for information in relation to the amount of fees and perquisites that have been received by the Governor, Auditor of State, Treasurer of State, Secretary of State, and President of the Sinking Fund, since the fifth day of March, 1859, and whether the said fees and perquisites have been paid into the State Treasury as required by law, you are hereby required to report to me, at your earliest convenience what amount of fees and perquisites have been received by you as President of the Sinking Fund since the fifth day of March, 1859, and whether the same have been paid into the Treasury as required by law."

In reply to which, I have the honor to state, that the accompanying paper marked A, is a true, full and complete statement of all the fees and perquisites that have been received by me as President of the Sinking Fund, since the fifth day of March, 1859. Said fees amount to the sum of twelve dollars.

They have not been paid into the State Treasury, because they do not belong to the State Treasury, but they belong to the Sinking Fund, and were paid into and became part of that fund as soon as received. It may be proper to remark, that during the time alluded to, I have received interest on money deposited to my credit, as President, while accumulating funds for loaning and distribution amounting to the sum of \$2723 88, which was carried into and became part of the fund from time to time as it accrued, as did all interest that thus accrued anterior to the date referred to.

Your obedient servant,

E. DUMONT.

[A.]

1859.			
May	25.	For copy of mortgage on Julius Woodford.....	\$2 00
July	1.	For substitution John Snuther for John Tarlton...	2 00
Sept.	1.	For copy of J. B. Reed's mortgage, from James Johnson.....	2 00
1860.			
March	1.	For substitution by B. K. Cunningham.....	2 00
"	30.	For substitution by William Graff for Majors and Smith.....	2 00
May	1.	For substitution by James H. McKernan.....	2 00
			<hr/> \$12 00

OFFICE OF SECRETARY OF STATE, }
Indianapolis, January 25, 1861. }

To the Hon. O. P. Morton, Governor of Indiana:

SIR: In compliance with your requisition of the 24th, I have the honor to submit the following report relative to the fees and perquisites received at this office since the 5th day of March, 1859. The private books kept by the late Secretary are not in this office—Mr. Dunham himself is absent; and it is impossible, from the sources at hand, to arrive at correct results:

The following abstract from a circular of a former Secretary (Mr. McClure,) shows the principal sources from which the Secretary of State derives his fees and perquisites:

(Extract from an act approved February 19, 1857.)

The fees of the Secretary of State shall be—

For recording each bond	\$2 00
For copies of all laws, records, and paper, per 100 words.....	10
For each certificate and seal.....	1 00
For issuing a Notarial commission	1 00
For issuing a commission to Commissioner of Deeds, and filing oath	3 00
For each attestation and seal	1 00

Such fees to be paid by the persons for whom the services are rendered.

Provided, however, such Secretary shall, in no case, be entitled to any fees above provided, when the services rendered are for the State or county, or officers thereof.

NOTE.—This law was in force from and after its passage. The

fee "for each attestation and seal," it is conceived, covers justices' commissions, pardons, remittitures of forfeitures, fines, &c.

In the absence of statistics, it is not possible to report the amount received by Mr. Dunham for recording bonds, and for certified copies of laws, &c.; but the amount has not probably exceeded 100 dollars during his term of office.

The records of this office show that since March 5, 1859, Mr. Dunham has issued to justices of the peace 1,521 commissions:

Fees one dollar each.....	\$1,521 00
To Notaries Public 674 commissions, at one dollar each,	674 00
Pardons and Remissions, 289, at one dollar each.....	289 00
Warrants and Requisitions, 74, at one dollar each.....	74 00
To Commissioners of Deeds, where oaths are on file and fees paid	57 00
	<hr/>
	\$2,615 00
Deduct from this amount for Commissions and Remissions not yet called or paid for.....	135 00
	<hr/>
Leaves a balance of.....	\$2,480 00
The Auditor reports Mr. Dunham to have drawn from the Treasury, on the 15th day of January, 1861, for issuing swamp land patents, 215 dollars	215 00
	<hr/>
	\$2,695 00

The Treasurer reports that Mr. Dunham has paid no fees into the State Treasury.

All of which is respectfully submitted,

W. A. PEELLE, Secretary of State.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Teegarden presented a petition from sundry citizens of La-porte county, Indiana, asking the enactment of a law authorizing county agricultural societies to purchase and hold lands.

Which was referred to the Committee on Agriculture.

Mr. Hamilton, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred House bill No. 283, entitled a bill to provide for the payment of the interest on the State debt of Indiana, due January 1, 1861, have had the same under consideration, and report back, and recommend its passage.

Which was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Blair, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred Senate bill No. 186, a bill to amend section six of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852, have had the same under consideration, and have directed me to report the same back, and recommend that it be indefinitely postponed, as there is a House bill now before the Senate that can be amended so as to accomplish the object of the bill under consideration.

Which was concurred in.

Mr. Hull, from the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:

The Committee on Roads and Highways, to whom was referred Senate bill No. 246, a bill to provide for the care and safe keeping of the public tools for working on and repairing the highways, together with instructions of the Senate to amend said bill, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend the passage of the bill as amended.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Mellett, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred Senate bill No. 267, a bill to authorize county boards to make allowances to sheriffs or other officers for pursuing criminals and felons, have had the same under consideration, and have directed me to report the same back, and recommend that it be laid upon the table.

Which was concurred in.

Mr. Ferguson, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 238, a bill to amend the fourth section of an act entitled "An act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the term thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859; and providing for the return of process to the terms fixed by this act, and declaring when this act shall take effect, with a proposed amendment thereto; have had the same under consideration, and have directed me to report the same back, with a recommendation that the proposed amendment do lie upon the table, and further recommend the passage of the bill without any amendment.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Johnston, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred Senate bill No. 266, a bill fixing the time of holding the Circuit Courts in Owen county, and repealing all laws in conflict with the provisions of this act, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, Chairman of the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred House bill No. 100, an act authorizing township trustees to assign certificates of purchase of saline lands, which were purchased with district school funds by the inhabitants of school districts in Congressional townships for school house sites; have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

Which was concurred in, and ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. March introduced,

Senate bill No. 273. A bill to authorize the redemption of lands in certain cases when sold on execution.

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Newcomb introduced,

Senate bill No. 274. A bill to provide for the appointment of a temporary judge of the Court of Common Pleas by said court, in the absence, or in cases of interest or relationship of said judge of said court, and for holding extra terms of said court.

Which was read a first time, and passed to a second reading on to-morrow.

On motion,

The Senate took up bills on second reading.

HOUSE BILLS ON SECOND READING.

House bill No. 77. A bill to amend the 6th section of an act entitled "An act to incorporate the St. Joseph Iron Company," and to repeal the 7th, 8th, 9th, 10th, 11th and 12th sections thereof. Approved January 22, 1835.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 114. A bill to amend the first section of an act entitled "An act for the incorporation of mining and manufacturing companies, and companies for mechanical, chemical and building purposes."

Was read a second time, and passed to a third reading on to-morrow.

Leave being granted,

Mr. DeHart presented a petition from sundry citizens of Howard county, asking the enactment of a law authorizing five new branches to the Bank of the State of Indiana.

Which was referred to the Committee on Banks.

House bill No. 115. A bill to amend an act entitled "An act supplemental to an act entitled 'An act to exempt property from sale in certain cases,' approved February 17, 1852;" approved March 5, 1859; and to provide for the making out of a schedule by the wife in the execution defendant.

Which was read a second time, and referred to the Committee on Judiciary.

House bill No. 124. A bill to cure certain defects where persons

have acted as deputies under the clerks of the Circuit Courts, by and with their consent, in this State.

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 129. A bill to amend section one hundred and seventy-eight of the act entitled "an act providing for the settlement of decedents' estates, prescribing the rights, duties, and liabilities of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved January 17, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 135. A bill to amend section six of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, in the State of Indiana, for the election of township officers; and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and Treasurer and Auditor of State," approved June 21, 1852, so as to exempt from taxation real and personal property of widows, where the same does not exceed three hundred dollars in value.

Was read a second time, and referred to the Committee on Finance.

House bill No. 139. A bill to enlarge the legal capacity of married women, whose husbands are insane, and to enable them to contract, as if they were unmarried.

Was read a second time, and referred to the Committee on Rights and Privileges.

House bill No. 296. A bill to amend section sixteen of an act entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State; the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith." Approved March 5, 1859.

Was read a second time, and passed to be engrossed and read a third time on to-morrow.

Senate bill 269. A bill to district the State of Indiana for the purpose of selecting members to the Congress of the United States of America,

Was read a second time.

Ordered, To be laid upon the table, and two hundred copies ordered to be printed.

Senate bill No. 270. A bill creating a Common Pleas district of certain counties therein named, and providing for the appointment and election of judges and prosecuting attorneys thereof,

Was read a second time, and referred to the Committee on Organization of Courts.

Senate bill No. 271. A bill to amend section one of an act entitled an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers, and duties in civil cases, approved June 21, 1852,

Was read a second time, and ordered to be engrossed and read a third time on to-morrow.

Senate bill No. 272. A bill to enable county commissioners to remove county seats in certain cases,

Was read a second time and referred to the Committee on the Judiciary.

Mr. Conner, from a select committee, made the following report:

MR. PRESIDENT:

The select committee to whom was referred Senate bill No. 252, being a bill to authorize the construction of levees and drains, and the improvement of any river, creek or other water course, having had the same under consideration, have directed me to report the same back to the Senate and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Steele, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred House bill No. 140, a bill to authorize the President of the Board of Sinking Fund Commissioners to make deeds and satisfy mortgages in certain cases, therein named, have had the same under consideration, and have directed me to report the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Johnston, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred House bill No. 13, a bill making provision for the refunding of license illegally collected under an act entitled an act concerning license to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show, and legerdemain, approved June 15, 1852, have had the same under consideration, and direct me to report the same back to the Senate, and recommend that it be indefinitely postponed,

Which was concurred in.

Leave being granted,

Mr. Williams presented a memorial from sundry citizens of Indiana on the State of the Union,

Which, under the rule, was referred to the Committee on Federal Relations.

Mr. Johnston, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate bill No. 180, a bill to amend an act entitled an act to amend the first section of an act authorizing the construction of plank, McAdamized and gravel roads, approved May 12, 1852, approved March 5, 1859, have had the above entitled bill under consideration, and have directed me to report the same back for the action of the Senate,

Which was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Miller,
Senate bill No. 217 was taken up.

Mr. Anthony moved a call of the Senate.
Which was agreed to.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carna-

han, Claypool, Conley, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White, Williams and Wilson—35.

Pending the call,

Senators Shields, Shoemaker, Tarkington, Jones and Culver were granted leave of absence until Monday morning at 9 o'clock.

On motion by Mr. Anthony,

A further call of the Senate was dispensed with, and

Senate bill No. 217. A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries.

Was taken up.

Mr. Blair moved to postpone the further consideration of the bill until Monday next, at 2 o'clock, P. M., and that it be made the special order for that hour.

Which was agreed to.

On motion by Mr. Turner,

The Senate took up House bill No. 3, and

House bill No. 3. A bill to amend the 16th section of an act entitled "An act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5th, 1859; so as to provide for the holding of said Common Pleas Courts in the county of Newton.

Was read a third time.

Mr. Turner offered the following amendment:

Amend by striking out the word "Jasper," where it occurs in lines 15 and 21, and insert the word "Newton" in place thereof, and that the word "Newton" be stricken out where it occurs in line 18, and "Jasper" inserted.

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Lomax, March, Mellett, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner White, Williams and Wilson—35.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 264. A bill to amend the ninth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms and declaring when this act shall take effect, and repealing all laws in conflict therewith," approved March 5, 1859, and prescribing the times of holding, and the duration of the terms of the Common Pleas Courts of the counties of Clay, Owen, Greene and Putnam,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White, Williams and Wilson—35.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 45. A bill to amend the third section of an act to provide for the election of a reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter, approved February 5, 1852; and also to amend section one of an act to amend the fifth and sixth sections of an act entitled "An act to provide for the election of a reporter and a speedy publication

of the decisions of the Supreme Court, and for the compensation of such reporter." Approved February 28, 1855.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White, Williams and Wilson—36.

None voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by M. Cravens,

The Senate took up the following message from the House :

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 31, with engrossed amendments by the House, and to exercise corporate and other powers, and to legalize sales of railroads heretofore made.

Senate bill No. 31. A bill to authorize and regulate the sale of, and to perfect the title of purchases of railroads, sold by foreclosure or other proceedings in law or equity, and to enable them to organize corporations.

In which the concurrence of the Senate is respectfully requested.

Mr. Craven moved to refer the bill and amendment to a select committee of three.

Which was not agreed to.

The question being, shall the engrossed amendments of the House be concurred in?

It was agreed to.

Senate bill No. 209. A bill to amend the twelfth section of an act regulating descents, and the apportionment of estates. Approved May 14, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Lomax, March, Mellett, Miller, Murray, Odell, Ray, Robinson, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams and Wilson—34.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Cravens, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 161. A bill to amend the 11th section of an act entitled "An act to provide a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe-keeping of public moneys," has had the same under consideration, and directs me to report it back without amendment, and recommend its passage.

The report was concurred in and Senate bill No. 161 therein contained was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Landers, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White and Williams—31.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Lomax and Wilson—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

S. J.—48.

Mr. Conley moved that Senate bill No. 266 be taken from the files, considered as engrossed, and read a third time now.

Which was agreed to, and

Senate bill No. 266. A bill fixing the time of holding the Circuit Court in Owen county, and repealing all laws in conflict with the provisions of this act,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams and Wilson—36.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Steele,
House bill No. 140 was taken from the files, and

House bill No. 140. An act to authorize the President of the Board of Sinking Fund Commissioners to make deeds and satisfy mortgages in certain cases therein named.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Lomax, March, Mellett, Miller, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams and Wilson—34.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Craven,
Senate bill No. 70 was taken from the files, and

Senate bill No. 70. A bill for the relief of Lot Edwards,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Lomax, March, Mellett, Miller, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams and Wilson—34.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Ray,

Senate bill No. 185, was taken from the files, and

Senate bill No. 185. A bill to amend the eighth section of an act entitled "an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms and declaring when the same shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859,

Was read a third time.

Pending the ayes and nays on the passage of Senate bill No. 185,

On motion by Mr. Wagner,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

The Senate having resumed the consideration of Senate bill No. 185,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Landers, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, Williams, and Wilson—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Wagner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 325, "A bill to raise a revenue for State purposes for the years 1861 and 1862, have had the same under consideration, and direct me to report it back to the Senate and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House bill No. 42; entitled "bill to authorize the Gibson County Circuit Court to hear testimony and make a decree in reference to the erection and sale of the County Seminary of said county, have had the same

under consideration, and directed me to report the same back, and recommend its passage.

The report was concurred in, the bill ordered to be engrossed, and read a third time on to-morrow.

Mr. Craven, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to whom was referred a Senate resolution instructing said Committee to "inquire into the expediency of providing by law, that the interest hereafter received on the loans of the Sinking Fund, so far as it is not needed for paying the interest on the outstanding Bank bonds of the State, or for the purchase of such bonds, be annually distributed by the Commissioners of the Sinking Fund under the supervision of the Superintendent of public instruction, to the treasurers of the several counties, for the use of the common schools therein, conformably with the provisions by law for apportioning and distributing the amount of taxes collected for school purposes, and for repealing so much of the law, approved March 1, 1859, for the investment, distribution and safe keeping of said fund, as requires any of said fund, except the principal of its loans repaid, to be distributed to the counties to be loaned on mortgages," have had the same under consideration, and have recommended me to report the same back to the Senate and recommend that it lie on the table, deeming any legislation on the subject, unnecessary and inexpedient,

Which was concurred in.

Mr. Blair, from the Committee on Education, made the following report:

MR. PRESIDENT:

The Committee on Education, to which was referred a resolution of the Senate, directing them to inquire whether under the present law the interest derived from the loaning of the sinking fund is distributed to the several counties, and if not, to inquire into the expediency of amending the law of 1859, so as to provide for such distribution, have had the same under consideration, and have directed me to report the same back, and say that the interest on said fund is now added to and becomes a part of the principal, and is distributed as such, and that further legislation on the subject would be inexpedient,

Which was concurred in.

The Senate took up the following messages from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed bill thereof No. 176:

House bill No. 176. A bill to license dogs, and providing for the payment of damages sustained in the maiming or killing of sheep by dogs, declaring unlicensed dogs nuisances, and declaring under what circumstances they may be killed, and prescribing a punishment for killing licensed dogs, and to provide penalties for the violation of any provisions of said act by officers and others.

House bill No. 176, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has had passed engrossed bill No. 322 thereof:

House bill No. 322. A bill to repeal section thirty-eight of an act entitled "an act to provide for the incorporation of railroad companies," approved May 11, 1852.

House bill No. 322, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the House, to-wit, No. 313, "a bill to provide for the mode and manner of electing United States Senators," in which the concurrence of the Senate is requested.

House bill No. 313, contained in the foregoing message, was read a first time, and passed to a second reading on to-morrow.

Mr. Wagner moved that the House be requested to return Senate bill No. 161,

Which was agreed to.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate that the House has passed the following engrossed bills thereof, bills Nos. 91, 89, 72, 82, 122, and 159.

Also House bill No. 72, "an act for the recovery of personal property, providing for an exception against the body, and repealing all laws in conflict therewith."

Also House bill No. 82, an act to amend the seventh section of an act entitled an act to incorporate the South Bend Manufacturing Company, and to repeal the ninth section of the same, approved December 28, 1842.

Also House bill No. 89, a bill to amend the ninth section of an act entitled "an act to amend an act to authorize and regulate the business of general banking in the State of Indiana, so as to make a copy of the certificate of the Auditor of State a sufficient cause of action, and the certificate itself *prima facie* evidence in suits against banking associations and individual stockholders thereof, or either, or any of them, in certain cases therein named."

House bill No. 91. An act to amend an act approved January 27, 1847, entitled an act to amend an act entitled an act to incorporate the Eel River Seminary Society, approved January 1, 1829, and for other purposes, to amend the second section of said act; to repeal the third, fifth, and eighth sections, to clothe said society with additional powers; to provide for the increase of the stockholders, the election of five trustees as sole managers of the affairs of said society, and their terms of office, and the effect of a failure to elect and confirm the act of the Board of Commissioners of Cass County, in releasing to the stockholders of said society all the interest of said county in the society's property and revenues, and releasing all claim of the State thereto, and releasing the corporation from the operation of the act requiring the sale of county seminaries, and legalizing the proceedings of said corporation.

Also House bill No. 122. A bill to organize a judicial district composed of the counties of Vermillion, Parke, and Putnam; providing for the appointment and election of a judge and district attorney therefor; fixing the time of commencement and duration of the terms thereof; making all writs, subpoenas, venires, rules and orders of Court, reports, recognizances, publications, and processes whatever, returnable thereto; and declaring when and how the same shall take effect.

Also House bill No. 159. An act declaring it to be a misdemeanor to leave open gates, or let down fences, or destroy cattle-guards along the line of railroads, and providing the penalty therefor.

In all of which the concurrence of the Senate is requested.

House bills Nos. 91, 89, 72, 82, 122, and 159, contained in the foregoing message, were severally read a first time, and passed to a second reading on to-morrow.

Message from the House.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate bills without amendment: Bills No. 29, 12, and 24.

Senate bill No. 29. An act to amend section fourteen of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Senate bill No. 12. A bill to amend the sixteenth section of an act entitled "an act touching the relation of guardian and ward," approved June 9, 1852.

Senate bill No. 24. An act to amend the sixth section of an act entitled "an act for the encouragement of agriculture," approved February 17, 1852.

On motion by Mr. Wagner,

Senate bill No. 269. A bill to district the State of Indiana for the purpose of electing members to the Congress of the United States of America,

Was taken from the table, and referred to the Joint Committee on Congressional Apportionment.

Mr. White offered the following additional instructions :

Recommit, with instructions to strike out the counties of Benton, White and Jasper, where they occur, and insert Boone county,

Which were referred to the Joint Committee on Congressional Apportionment.

Mr. Murray offered the following instructions :

To strike out Kosciusko county from the tenth district, and attach it to the eleventh,

Which were referred to the Select Joint Committee on Congressional Apportionment.

Mr. Ray offered the following instructions :

Strike out Shelby county and place it in the fourth district,
Which were referred to the Joint Committee on Congressional Apportionment.

Message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendment:

Senate bill No. 44. A bill to make the register, catalogue, tract book, and description of lands kept in the land offices in the United States, and in the Canal and Michigan road land offices, and copies thereof *prima facie* evidence of the truth of their contents,

In which the concurrence of the Senate is requested.

Message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to return Senate bill No. 161, re-called by the Senate.

On motion by Mr. Wagner,

The Senate reconsidered the vote on the passage of House bill No. 161.

Mr. Wagner moved to amend the bill by adding an emergency clause,

Which was unanimously agreed to, and the bill was ordered to be placed upon the files of the Senate.

On motion by Mr. Wagner,
The Senate adjourned.

MONDAY MORNING, 9 o'CLOCK, }
 March 4, 1861. }

The Senate met.

On motion by Mr. Murray,

The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Wilson presented a memorial from sundry citizens of Indiana on the State of the Union,

Which was referred, under the rule, to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. Claypool from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 103, being a bill to enable minors whose lands have been sold on application by the guardian during the minority, to prosecute an appeal from the order of sale and confirmation, at any time within one year after arriving at full age, have considered the same, and have directed me to report the same back to the Senate, and recommend its indefinite postponement,

Which was concurred in.

Mr. Claypool, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 243, being a bill to amend the title, and section one of an act entitled "An act concerning promissory notes and bills of exchange," approved May 12, 1852, so as to include bonds or other instruments in writing, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it lie

on the table, for the reason that a bill has already passed the Senate embracing the same subject matter,

Which was concurred in.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred the petition of Albert Pursell, John W. Campbell and others, asking for an increase in the amount of property exempt from execution, have had the same under consideration, and direct me to report the same back and recommend that it lie on the table, as Senate bill No. 157, embracing the same subject is in its third reading,

Which was concurred in.

Mr. Mellett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 168, being "A bill to enable guardians of the minor heirs of deceased persons to execute conveyances of real estates in pursuance of contracts made in relation thereto by deceased owners," have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be laid upon the table.

Mr. Dickinson moved to amend so as to recommend that it be put on its passage,

Which was not agreed to.

On motion,

The report was concurred in.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 265, a bill to provide for the execution of conveyances by county auditors for school lands, where the certificate has not been properly assigned, or assignment certified acknowledged in certain cases; have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Studabaker, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate bill No. 213, a bill to legalize deeds of conveyance of real estate, and to debar married women from any rights or interests in such real estates in certain cases; have had the same under consideration, according to order, and have directed me to report the same back, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Studabaker, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Judiciary Committee, to whom was referred Senate bill No. 174, a bill declaring that sales of lands heretofore made by sheriffs under execution, without a previous appraisement of the rents and profits shall not be considered void on account of such failure, and to prevent such sales from being set aside in certain cases, have had the same under consideration, according to order, and direct me to report the same back, with a recommendation that it lie on the table.

Which was concurred in.

Mr. Miller, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 250, being a bill authorizing liens in favor of attorneys and counselors at law, in certain cases, have had the same under consideration, and have directed me to report the same back to the Senate, and to recommend its passage.

The report was not concurred in, and the bill was laid upon the table.

Mr. Conner, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom Senate bill No. 268 was referred, being a bill for the entering satisfaction of mortgages upon

mortgage records of the several counties of this State, executed to the State Bank of Indiana, in cases where such mortgages have been satisfied by payment or otherwise, having had the same under consideration, have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Conner, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 44, a bill to amend the first section of an act entitled "An act to provide for the management and disposal of the estates of persons who have absented themselves from their usual place of residence, and gone to parts unknown," approved March 5, 1859; having had the same under consideration, have directed me to report the same back to the Senate, with the accompanying amendment, and when so amended recommend its passage.

Amend by striking out the word "three" and insert the word "seven," in the eighth line of the seventh page of said bill.

The report was concurred in, the amendments adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred House bill No. 30, being a bill to amend the seventy-eighth section of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in criminal actions in the Courts of this State, approved June 17, 1852, have had the same under consideration, and have directed me to report the same back to the Senate, and to recommend its passage.

The report was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

BILLS INTRODUCED.

Mr. Johnston introduced

Senate bill No. 275. A bill to amend an act to authorize and limit allowances by Courts' drafts upon county treasurers,

Which was read a first time, and passed to a second reading on tomorrow.

By consent,

Mr. Newcomb presented a petition from Wm. R. Nofsinger, containing claims against the State of Indiana,

Which was referred to the Committee on Claims.

Mr. Murray introduced

Senate bill No. 276. A bill to district the State of Indiana, for the purposes of electing members to the Congress of the United States of America,

Which was read a first time, and passed to a second reading on tomorrow.

On motion by Mr. March,

The order of business was suspended, and

Mr. March offered the following resolution:

Resolved, That the Auditor of State be requested to report to the Senate, at the earliest moment possible, the amount of money expended each year by the Board of Colonization since its organization, and for what purpose; the number of persons that have been colonized; what amount of funds is now under the control of the board, and whence derived.

Which was agreed to.

Mr. Hull, from the Committee on Roads and Highways, made the following report:

MR. PRESIDENT:

The Committee on Roads and Highways, to whom was referred Senate bill No. 122, a bill to provide for the establishment of private roads on the dividing lines between the lands of adjoining proprietors, have had the same under consideration, and have directed me to report it back with the following amendments, and when so amended to recommend its passage:

Amend section one, by inserting in line eight, after the word *proprietor*, "or where any person desires to have a private road through

the lands of another person or persons running on the lines between said persons."

Amend in line twelve: Strike out ten days and insert "twenty days written."

Amend in line fifteen: Strike out the words "by posting up notices in at least three public places in said township."

Amend in line twenty-two, by striking out the words "twenty-four feet," and insert "eighteen feet."

Amend in line twenty-seven, by inserting after the word *damages* "then in that case the said trustee shall appoint three disinterested persons to assess the damages."

And in line twenty-eight, strike out the word "trustee," and insert "persons appointed to assess damages."

Amend in line thirty-three: Strike out the word "he," and insert the word "they."

Amend in line thirty-four, after the word "damages," insert "shall report to said trustee."

Amend in line thirty-seven: Strike out the word "either," and after the word person, insert the words "or persons."

Amend in lines thirty-eight and thirty-nine, by striking out the words "or out of the road fund of said township."

Mr. Carnahan moved to concur in the report, "except that part which requires that the petitioner shall pay all damages."

Which was not agreed to.

Mr. Carnahan moved to lay the bill and report upon the table,
Which was not agreed to.

The question recurring upon concurring in the report,
It was concurred in.

The amendments were adopted, and the bill ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Newcomb,

The report of the Committee on the Judiciary on Senate bill No. 250 was taken from the table.

Mr. Williams moved to concur in the report, with the following amendment:

The provisions of the above act shall only apply to judgments obtained, or other business done for non-residents of the State.

Mr. Wagner moved to recommit the bill with instructions to so

amend as to give landlords a lien upon the crops of tenants, and on the furniture of tenants occupying houses,

Which was agreed to.

Messages from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to report House enrolled bill No. 140, to the Senate for the signatures of the President and Secretary thereof.

The President and Secretary signed the bill.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate enrolled House bill No. 3, and joint resolution No. 13, for signatures.

The President and Secretary signed the bill and joint resolution.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 7, without amendment.

Senate bill No. 7. An act supplemental to "an act concerning real property, and the alienation thereof," approved May 6, 1832.

Mr. Berry, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills have carefully compared the enrolled with the engrossed copies of the following bills, and find the same correctly enrolled:

Senate bill No. 12. A bill to amend the sixteenth section of an act entitled an act touching the relation of guardian and ward, approved June 9, 1852.

Senate bill No. 24. A bill to amend the sixth section of an act entitled "an act for the encouragement of agriculture, approved February 17, 1852."

Senate bill No. 29. A bill to amend section fourteen of "an act defining misdemeanors, and prescribing penalties therefor," approved June 14, 1852.

Senate bill No. 44. A bill to make the register, catalogue, tract-book, platbook and description of lands kept in the land offices of the United States, and in the Canal and Michigan Road Land offices, and copies thereof, *prima facie* evidence of the truth of their contents.

SENATE BILLS ON SECOND READING.

Senate bill 274. A bill to provide for the appointment of a temporary Judge of the Court of Common Pleas, by said court, in the absence, or in cases of interest or relationship of said Judge of said court, and for holding extra terms of said court,

Was read a second time, and referred to the Committee on the Organization of Courts.

Senate bill No. 273. A bill to authorize the redemption of lands in certain cases, when sold on execution,

Was read a second time, and referred to the Committee on the Judiciary.

HOUSE BILLS ON SECOND READING.

House bill No. 72. A bill for the recovery of personal property, providing for an execution against the body, and repealing all laws in conflict therewith,

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 82. A bill to amend the seventh section of an act entitled "an act to incorporate the South Bend Manufacturing Company, and to repeal the ninth section of the same, approved December 28, 1842,

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 89. A bill to amend the ninth section of an act entitled "an act to amend an act to authorize and regulate the business of general banking in the State of Indiana, so as to make a copy of the certificate of the Auditor of State a sufficient cause of action, and the certificate itself *prima facie* evidence in suit against banking associations and the individual stockholders thereof, or either or any of them in certain cases therein named, was read a second time, and referred to the Committee on Banks.

House bill No. 122. A bill to organize a judicial district, composed of the counties of Vermillion, Parke and Putnam, providing for the appointment and election of a judge and district attorney therefor, fixing the time of commencement and duration of the terms thereof, making all writs, subpoenas, venires, rules and orders of court, reports, recognizances, publications and processes whatever returnable thereto, and declaring when and how the same shall take effect,

Was read a second time, and referred to a select committee, consisting of Messrs. Johnston, Conley, Wilson, Steele, and Tarkington.

House bill No. 91. A bill to amend an act approved January 27, 1847, entitled an act to amend an act entitled an act to incorporate the Eel River Seminary Society, approved January 1, 1829, and for other purposes, to amend the second section of said act, to repeal the third, fifth and eighth sections, to clothe said society with additional powers, to provide for the increase of stockholders, the election of five trustees as sole managers of the affairs of said society, and their term of office, and the effect of a failure to elect, and confirm the act of the board of commissioners of Cass county in releasing to the stockholders of said society all the interest of said county in the society's property and revenues, and releasing all claims of the State thereto, and releasing the corporation from the operation of the act requiring the sale of county seminaries, and legalizing the proceedings of said corporation,

Was read a second time, and referred to the Committee on Corporations.

House bill No. 159. An act declaring it to be a misdemeanor to leave open gates, or let down fences, or destroy cattle guards along the line of railroads, and providing the penalty therefor,

Was read a second time, and passed to a third reading on to-morrow.

House bill No. 322. A bill to repeal section thirty-eight of an act entitled "an act to provide for the incorporation of railroad companies, approved May 11, 1852,

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 313. A bill to provide for the mode and manner of electing United States Senators,

Was read a second time, and referred to the Committee on Federal Relations.

Mr. March offered the following amendment:

Strike out the word "re-elected" and insert the word "elected,"
Which was referred to the Committee on Federal Relations.

House bill No. 176. A bill to license dogs and providing for the payment of damages sustained in the maiming or killing of sheep by dogs, declaring unlicensed dogs nuisances, and declaring under what circumstances they may be killed, and prescribing a punishment for killing licensed dogs, and to provide penalties for the violation of any of the provisions of said act by officers and others,

Was read a second time, and passed to a third reading on to-morrow.

Mr. Mellett, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 259, a bill to amend sections 78, 79, 94, 95, 123, 136, 142, and 143 of an act entitled "an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852, have had the same under consideration, and have directed me to report said bill back to the Senate, and that it lay upon the table,

Which was concurred in.

Mr. Hamilton, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 196, a bill to amend the fourth section of an act entitled "An act concerning interest on money," approved May 27, 1852; have had the same under consideration, and direct me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Claypool, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred a resolution of the Senate, directing the doorkeeper of the Senate to contract with

the Messrs. Drapier, for the purchase of 600 copies of the "Brevier Legislative Reports," have considered the same, and have directed me to report the same back to the Senate, and recommend that said doorkeeper be instructed to contract for 600 copies of said report for the use of the Senate, at a cost not exceeding one dollar per copy, as specified in said resolution.

Your Committee take occasion to say, that said reports are not as full as they could desire.

Said Committee would further recommend that the Senate, by law, provide for the employment of a reporter of its proceedings hereafter, who shall be under the control and direction of the Senate.

On motion by Mr. Wagner,

The report was made the special order for this afternoon, at 4 o'clock.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills thereof: bills No. 160 and 186.

House bill No. 160. An act to amend section one of an act entitled "An act prescribing certain misdemeanors punishable only by a justice of the peace." Approved June 7, 1852.

House bill No. 186. A bill to authorize the Board of Commissioners to purchase toll bridges, or any private interest therein.

In both of which the concurrence of the Senate is respectfully requested.

House bills Nos. 160 and 186, contained in the foregoing message were severally read a first time, and passed to a second reading on to-morrow.

Mr. March, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 223, a bill to amend the 20th section of an act concerning the partition of lands, approved May 20, 1852; and to provide for ap-

peals, and fixing the time thereof, have had the same under consideration, and directed to report the bill back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Wagner,
A call of the Senate was ordered.

The Secretary proceeded with the call,

Whereupon, the following Senators answered to their names :

Messrs. Bearss, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Hamilton, Hull, Johnston, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wilson—33.

On motion by Mr. Wagner,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Mr. Stone, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills have compared the engrossed with the enrolled copy of Senate bill No. 7, a bill supplemental to an act concerning real property and the alienation thereof, approved May 6, 1852, and find the same correctly enrolled.

ORDERS OF THE DAY.

Bills on Third Reading.

House bill No. 161. A bill to amend the eleventh section of an act entitled "An act to provide a treasury system for the State of

Indiana, for the manner of recovery, holding and disbursing the public moneys of the State, and for the safe-keeping of the public moneys."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—42.

Those who voted in the negative were,

Messrs. Carnahan and Lomax—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Message from the Governor by Mr. Holloway, his private secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 12, an act to amend the sixteenth section of an act entitled an act touching the relation of guardian and ward, approved June 9, 1852.

Also Senate bill No. 24. An act to amend the sixth section of an act entitled an act for the encouragement of agriculture, approved February 17, 1852.

Also Senate bill No. 29. An act to amend section fourteen of an act defining misdemeanors and prescribing punishment therefor, approved June 14, 1852.

Also Senate bill No. 44. A bill to make the register, catalogues, tract book, plat book, and description of lands, kept in the land offices of the United States, and in the canal and Michigan road land offices, and copies thereof, *prima facie* evidence of the truth of their contents; and has caused the same to be filed in the office of the Secretary of State.

Mr. Blair, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills, to which was referred Senate bill No. 31, have had the same under consideration, and have compared the same with the engrossed bill, and they find the same correctly enrolled.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of Senate bill No. 217, which had been postponed from Saturday last, and made the special order for to-day at 2 o'clock P. M.

Senate bill No. 217. A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith; and for the establishment and regulation of township libraries.

Was read a third time.

Mr. Murray moved to amend the bill as follows:

Amend section one hundred and fifty-one, by adding thereto the words "Sundays and holidays excepted."

Amend section one hundred and forty, by striking out the words "and also the annual reports of the State Board of Agriculture," and by adding at the end of said section, "*provided*, the State has the documents to distribute."

Which were unanimously agreed to.

Mr. Williams moved to amend section one hundred and forty-two, by striking therefrom the words "one-tenth of a mill."

Also section seventy-eight, strike out "ten" and insert "seven."

Which were unanimously agreed to.

Mr. Newcomb moved to amend by striking out section one hundred and thirty-two,

Which was unanimously agreed to.

Mr. Murray moved to amend section one hundred and thirty-three, by striking out the words "if practicable,"

Which was unanimously agreed to.

Mr. Johnston moved to recommit the bill with following instructions:

“To strike out all that relates to tax for township libraries.”

The question being upon the motion to recommit with instructions,

The ayes and noes being demanded by Senators Johnson and Carnahan,

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Culver, Ferguson, Hamilton, Johnston, Jones, Landers, Lomax, Shields, White, Williams, Wilson, and Wolfe—15.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Hull, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, and Wagner—28.

So the motion to recommit with instructions did not prevail.

Mr. Murray moved to recommit the bill with the following instructions:

To strike out in section eighteen the words “his county shall be subjected to a diminution of one hundred dollars in the next apportionment of said revenue by the superintendent.”

Also in line forty-three, these words, “failure to make the required reports at the proper time, shall subject the county to a diminution of fifty dollars of its apportionment of the common school revenue, which shall be withheld by the superintendent when he makes the apportionment in April.”

Also in section twenty, these words, “failure on the part of trustees to make the aforesaid report at the time specified, shall subject the township to a diminution of twenty-five dollars of its next apportionment of the common school revenue, which shall be withheld by the auditor when he makes such apportionment.”

Amend section thirty-three, by striking out the words “if practicable.”

Mr. Line moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Line and Murray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull,

Jones, Line, March, Mellett, Miller, Odell, Ray, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, and Williams—30.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Culver, Ferguson, Hamilton, Johnston, Landers, Lomax, Murray, O'Brien, Shields, Slack, White, Wilson, and Wolfe—16.

So the motion to lay the motion to recommit upon the table prevailed.

Mr. Cobb moved to recommit the bill with the following instructions:

Strike out all that relates to the duties of school examiners, except that which relates to their issuing certificates to teachers.

Which was not agreed to.

Mr. Miller moved to amend section forty-six, by adding thereto the following words:

“Provided, however, that no school examiner shall receive, in the aggregate, more than one hundred dollars per annum for his services.”

Which was unanimously agreed to.

Mr. Wolfe moved to recommit the bill with the following instructions:

Amend section five, and all other sections on the subject, so as to provide for the election of three trustees for incorporated towns and cities.

Mr. Claypool moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Shields and Wolfe,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Craven, Culver, DeHart, Ferguson, Grubb, Hull, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Wagner, and Wilson—33.

Those who voted in the negative were,

Messrs. Dickinson, Hamilton, Johnston, Jones, Landers, Lomax, Shields, Slack, White, Williams, and Wolfe—11.

So the motion to recommit was laid upon the table.

Mr. Claypool moved the previous question,
Which was seconded by the Senate.

So the main question was ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hull, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, and Turner—30.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Culver, Johnston, Jones, Landers, Lomax, Ray, Shields, Slack, Wagner, White, Williams, Wilson, and Wolfe—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The hour having arrived, the Senate resumed the consideration of the report of the Committee on Finance, embodying a resolution previously referred to said Committee, directing the Doorkeeper to contract with Ariel and William H. Drapier for six hundred copies of their Brevier Reports, of the proceedings and debates of the present session of the General Assembly of Indiana, which had been made the special order for to-day at 4 o'clock, P. M.

The question being, shall the report of the Committee on Finance be concurred in?

It was agreed to.

Mr. Conley, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate joint resolution No. 13, entitled a joint resolution making an appropriation for the relief of the destitute sufferers in Missouri and Kansas, have had the same under consideration, and have directed me to report it back to the Senate and recommend that it be laid on the table, for the reason that the Committee are of the opinion, from information recently obtained, that sufficient aid has already been received by them in the nature of private contributions and donations from charitable societies,

Which was concurred in.

Mr. Wagner, from a select committee, made the following report:

MR. PRESIDENT:

The select committee, to whom was referred House bill No. 199, a bill to amend an act entitled "an act authorizing county agricultural societies to purchase and hold real estate, approved February 7, 1855, and to authorize such societies to issue capital stock," have had the same under consideration, and have directed me to report said bill back to the Senate, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. Steele, from a select committee, made the following report:

MR. PRESIDENT:

The select Committee, to whom was referred House bill No. 84, a bill regulating interest on money, and to repeal "an act concerning interest on money, approved May 27, 1852, the fifty-first section of an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852, and all other laws and parts of laws in conflict with this act, have had the same under consideration, and have directed me to report it back, and recommend its passage, without amendment.

Mr. March offered the following amendment:

Strike out all of the fifth section after the word "if" in the seventeenth line and insert the following, viz: "A greater rate of interest than six dollars a year for one hundred dollars shall have been paid thereon, whether in advance or not, judgment shall be rendered only for the amount of principal deducting the excess of interest thus paid, at the time paid."

Mr. Carnahan moved that the bill and pending amendments be indefinitely postponed.

The question recurring upon the motion to indefinitely postpone the bill and pending amendment,

Mr. Line demanded a division of the question.

Mr. Murray moved the previous question,
Which was seconded by the Senate.

So the main question was ordered.

The question being, shall the amendment be indefinitely postponed.

The ayes and noes being demanded by Senators Line and March.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Claypool, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Line, Mellett, O'Brien, Odell, Shoemaker, Steele, Teegarden, and Wilson—21.

Those who voted in the negative were,

Messrs. Campbell, Carnahan, Cobb, Conley, DeHart, Hull, Jones, Landers, Lomax, March, Miller, Murray, Newcomb, Ray, Shields, Slack, Stone, Studabaker, Tarkington, Turner, Wagner, White, Williams, and Wolfe—24

So the amendment was not indefinitely postponed.

The question recurring upon the motion to indefinitely postpone the bill.

The ayes and noes being demanded by Senators Line and March,

Those who voted in the affirmative were,

Messrs. Campbell, Carnahan, Cobb, Conley, Craven, Lomax, Murray, Ray, Shields, Slack, Tarkington, Turner and Williams—13.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton,

Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Newcomb, O'Brien, Odell, Shoemaker, Steele, Stone, Studabaker, Teegarden, Wagner, White, Wilson and Wolfe—34.

So the bill was not indefinitely postponed.

The question recurring upon the adoption of the amendment offered by Mr. March.

Mr. Claypool moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Line and March.

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Line, Mellett, Miller, O'Brien, Odell, Shoemaker, Steele, Teegarden and Wilson—22.

Those who voted in the negative were,

Messrs. Anthony, Campbell, Carnahan, Cobb, Conley, Craven, DeHart, Hull, Jones, Landers, Lomax, March, Murray, Ray, Shields, Slack, Stone, Studabaker, Tarkington, Turner, Wagner, White, Williams and Wolfe—24.

So the amendment was not laid upon the table.

The question recurring upon the adoption of the amendment,
It was agreed to.

Mr. Williams moved to postpone the further consideration of the bill and pending amendment until to-morrow morning at 10 o'clock,
Which was not agreed to.

Mr. March offered the following amendment:

If the contract has been renewed, or the security thereof changed once or more in calculating the amount of the judgment, credit shall be given for all payments made, whether in advance or not, at the time made.

Mr. Claypool moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Wagner and Claypool.

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Line, Mellett, Miller, Newcomb, O'Brien, Odell, Shoemaker, Steele, Teegarden and Wilson—24.

Those who voted in the negative were,

Messrs. Campbell, Carnahan, Cobb, Conley, Craven, DeHart, Hull, Jones, Landers, Lomax, March, Murray, Ray, Shields, Slack, Stone, Tarkington, Turner, Wagner, White and Wolfe—21.

So the amendment was laid upon the table.

Mr. Mellett moved that the bill be considered as engrossed, and read a third time now.

Which was agreed to.

Mr. Tarkington moved that the Senate do now adjourn,
Which was not agreed to.

The bill being then read a third time.

Mr. Mellett moved the previous question,
Which was seconded by the Senate.

So the main question was ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Mellett, Miller, Newcomb, O'Brien, Odell, Shoemaker, Steele, Teegarden, Wagner, White, Wilson and Wolfe—30.

Those who voted in the negative were,

Messrs. Campbell, Carnahan, Cobb, Conley, Craven, Hull, Lomax, March, Murray, Ray, Shields, Slack, Stone, Studabaker, Tarkington, Turner and Williams—17.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Carnahan,
The Senate adjourned.

TUESDAY MORNING, 9 o'clock, }
March 5, 1861.

The Senate met.

On motion by Mr. Murray,
The reading of the Journal of the preceding day was dispensed with.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. DeHart presented a memorial containing the President's inaugural,
Which was referred to the Committee on Federal Relations.

Mr. Williams presented a memorial from sundry citizens of the State of Indiana, on the State of the Union,
Which was referred to the Committee on Federal Relations.

Mr. Ray presented a communication from the Attorney General.

Mr. Steele moved that the communication be laid upon the table, and that no part thereof should appear upon the Journal.
Which was agreed to.

Mr. Grubb presented a petition from sundry citizens of Hamilton county, Indiana, asking that an appropriation be made for the relief of the suffering and destitute in Kansas.
Which was referred to the Committee on Finance.

On motion by Mr. Wagner,
The Senate took up

SENATE BILLS ON THIRD READING.

Senate bill No. 85. A bill to legalize the appraisement and assessment of property in cities of this State, and the making out and delivery of tax duplicates in the cities of this State, in certain cases,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Johnston, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Shoemaker, Steele, Stone, Studabaker, Turner, White Williams, Wilson, and Wolfe—37.

Senator Shields voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. March,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution thereof:

Resolved, (the Senate concurring) That the Legislature go into a joint Convention in the hall of the House, at 2 o'clock, this afternoon, for the purpose of electing two Sinking Fund Commissioners,

And that the Senate is hereby requested to concur herein.

On motion by Mr. March,

The message was concurred in, and the invitation accepted.

Senate bill No. 119. A bill to amend section six of an act entitled "an act touching the laying out and vacating towns, streets, alleys, public squares and grounds, or any part thereof, the making out and recording of plats of such towns, and providing for the change of the names of such towns," approved May 20, 1852,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Turner, White, Williams, Wilson, and Wolfe—40.

Mr. Tarkington voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 111. A bill to amend section twenty-three of an act entitled "an act for the relief of the Indiana University, and to increase and extend its benefits by providing for the sale of the lands granted by the United States for the use of said University, regulating the application of the proceeds of the sale thereof, and prescribing the duties of the officers therein mentioned in relation thereto, approved March 2, 1859,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson, and Wolfe—42.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 169. A bill to amend the sixth section of an act entitled "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been incorporated in this State for any of the purposes mentioned in this act, shall be subject to the provisions of this act, as amended, S. J.—50.

poses contemplated in said act, with a fixed amount or limitation of capital, may increase the same, by a vote of its stockholders, in the same manner as is provided in said section for increasing capital stock,

Was read a third time.

Mr. Craven offered the following amendment:

Amend section four of an act entitled "an act for the incorporation of manufacturing and mining companies and companies for mechanical, chemical and building purposes, approved May 20, 1852," by adding to Senate bill No. 59, the following amendments:

SECTION 4. That section four of said act, which reads as follows:

SECTION 4. There shall also be elected at such annual meeting of the stockholders, a secretary and treasurer, who shall respectively give bond with surety, as shall be required by the by-laws, and be sworn to the faithful discharge of the duties assigned to each of them. Absent stockholders may vote by proxy, but no one stockholder shall give more than twenty votes. All officers shall serve until their successors are chosen and qualified,

Shall be amended to read as follows:

SECTION 4. The directors of such company shall annually elect a secretary and treasurer, who shall respectively give bond with surety, as shall be required by the by-laws, and be sworn to the faithful discharge of the duties assigned to each of them. *Provided*, that said directors may, if they deem proper, elect one person to discharge the duties of secretary and treasurer. Absent stockholders may vote by proxy, and each share of stock shall entitle the owner thereof to one vote. All officers shall serve until their successors are elected and qualified,

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—38.

Those who voted in the negative were,

Messrs. Johnston and Studabaker.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Craven offered the following amendment to the title of the bill:

Amend the title by inserting section four at the proper place.
Which was unanimously agreed to.

Message from the Governor, by Mr. Holloway, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 7, an act supplemental to an act concerning real property, and the alienation thereof, approved March 6, 1852; and has caused the same to be filed in the office of the Secretary of State.

MESSAGES FROM THE HOUSE.

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures, enrolled House bill No. 161.

The President and Secretary signed the bill.

Senate bill No. 129. A bill to amend section fifteen of an act to provide for the opening, vacating and change of highways. Approved June 17, 1852.

Was read a third time.

Mr. White moved to lay the bill upon the table.
Which was agreed to.

Senate bill No. 108. A bill to allow county commissioners to organize turnpike companies, where a majority of persons representing the real estate within the prescribed limits petition for the same, and levy tax for its construction, and provide for the same to be free.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Con-

ley, Culver, DeHart, Dickinson, Grubb, Hull, Jones, Landers, Line, March, Mellett, Newcomb, Odell, Ray, Shoemaker, Steele, Stone, Tarkington, Turner, White and Wilson—27.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conner, Hamilton, Johnston, Lomax, Miller, Murray, Slack, Studabaker, Teegarden and Wolfe—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 144. A bill to amend the sixth section of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 21, 1852; so as to exempt certain property therein named from taxation.

Was read a third time.

Mr. Claypool moved to amend the bill as follows:

Provided, That the lands owned by any county for a poor house be situate in the county owning the same.

Which was unanimously agreed to.

Mr. Johnston moved to recommit the bill with the following instructions:

Tenth. Every building used for the purpose of raising a family in compliance with the command of Heaven that "man should be fruitful, and multiply and replenish the earth," and the land whereon such building may be situate not exceeding one hundred and sixty acres.

Which was not agreed to.

Mr. Miller moved the following amendment:

Amend seventh subdivision of first section by striking out "320' and inserting "160."

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Claypool, Cobb, Craven, Culver, DeHart, Dickinson, Ferguson, Hamilton, Hull, Jones, March, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden and Turner—27.

Those who voted in the negative were,

Messrs. Beeson, Blair, Campbell, Carnahan, Conley, Grubb, Johnston, Landers, Line, Lomax, O'Brien, Shields, White, Williams, Wilson and Wolfe—16.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Senate bill No. 187. A bill to repeal an act entitled "An act to provide for extending the terms of Circuit Courts, by adjournment, when then the pending business shall be unfinished," approved February 12, 1855; to authorize the court or judge to call special terms, and to provide for the compensation of judges for holding such adjourned and special terms, and of prosecuting attorneys while in attendance upon the same. Approved December 24, 1858.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Murray, Newcomb, O'Brien, Odell, Ray, Slack, Steele, Stone, Teegarden, Turner, White, Williams, Wilson and Wolfe—38.

Those who voted in the negative were,

Messrs. Miller and Shields—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. March offered the following amendment to the title of Senate bill No. 187: "and to legalize all judgments, orders and decrees of

the special terms of said court, held under the provisions of the act hereby repealed."

Which was unanimously agreed to.

Senate bill No. 166. A bill supplemental to an act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children, approved May 6, 1852; so as to provide for the discharge of defendants from prison in certain cases, and declaring an emergency for the immediate taking effect of this act.

Was read a third time.

Mr. Claypool moved to recommit with the following instructions:

"If he be a married man, save and except his household goods to an amount not exceeding three hundred dollars."

The question recurring upon recommitting the bill and pending instructions,

It was agreed to.

Senate bill No. 146. A bill in relation to petit jurors.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, March, Miller, Murray, Newcomb, Ray, Slack, Steele, Stone, Tarkington, Teegarden, Turner and Wilson—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Lomax, Odell, Shoemaker, Studabaker, White and Wolfe—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 206. A bill to amend section ninety-nine of an act entitled: "An act to amend, simplify and abridge the rules of practice, pleading and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading, without distinction between law and equity.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Cobb, Conley, Craven, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, Wilson and Wolfe—38.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 214. A bill to amend section two of an act entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof, and repealing section 29 and 38 of said act." Approved March 1, 1859.

Was read a third time.

Mr. Murray moved to lay the bill upon the table.

The ayes and noes being demanded by Senators Murray and Carnahan,

Those who voted in the affirmative were,

Messrs. Beeson, Carnahan, Cobb, Conley, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, Murray, Odell, Ray, Shields, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—27.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Craven, DeHart, Hamilton, Miller, Newcomb and Shoemaker—11.

So the bill was laid upon the table.

Senate bill No. 210. A bill to aid in the collection and preservation of historical materials relating to the early settlement of Indiana.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Berry, Blair, Carnahan, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Newcomb, Odell, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, and Williams—26.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Cobb, Johnston, Jones, Landers, Lomax, Murray, Ray, Studabaker, White, and Wolfe—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 245. A bill for the relief of Joseph Moore, Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Wilson, and Wolfe—39.

No Senator voting in the negative,

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Senate bill No. 193. A bill to amend section fifteen of an act entitled an act to amend section fifteen, and to repeal sections twenty-seven to thirty-eight inclusive of an act entitled an act to provide for the opening, vacating, and change of highways, approved June 17, 1852, so as to give boards of county commissioners jurisdiction as to the change, laying out, and vacating highways in their respective counties; saving and transferring all proceedings now pending before

township trustees under said section so repealed to the boards of county commissioners, and providing for the disposition thereof, approved March 5, 1859, and to legalize all roads located, vacated, or changed under either of said acts.

Was read a third time.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Anthony, Bearss, Berry, Blair, Campbell, Carnahan, Cobb, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, O'Brien, Odell, Ray, Shoemaker, Slack, Steele, Stone, Teegarden, Turner, White, Williams, Wilson, and Wolfe—37.

Senator Shields voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Conley,

Resolved, That the Committee on the Judiciary be requested to report to this General Assembly, at an early day, their opinion as to the length of time that this Legislature may legally and constitutionally pass bills and present them to the Governor for his signature.

On motion by Mr. Line,

Resolved, That the number of copies of the Brevier Legislative Reports which the Senate has agreed to take, shall be held subject to the written directions of each Senator, without any additional expense to the publishers.

Senate bill No. 55. A bill to provide for stationery, newspapers, and postage for members of the General Assembly of the State of Indiana, and to furnish stationery for the secretaries and clerks of the same.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Cobb, Conley, Cravens, DeHart, Dickinson, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, O'Brien, Odell, Ray, Slack, Tarkington, Teegarden, Turner, White, Williams, and Wilson—32.

Those who voted in the negative were,

Messrs. Conner, Craven, Grubb, Lomax, Shields, Stone, Studabaker, and Wolfe—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 233. A bill to amend sections ninety-four, ninety-six, and one hundred and forty-three of an act entitled an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 17, 1852, so as to fix the rate of compensation for the publication of the delinquent lists in the several counties of this State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, March, Mellett, Miller, Murray, Odell, Steele, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wilson—29.

Those who voted in the negative were,

Messrs. Carnahan, Landers, Lomax, Shields, Shoemaker, and Stone—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Miller, from the Judiciary Committee, made the following report:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 64, a bill authorizing aliens to hold lands in the State of Indiana, by purchase or otherwise, have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendment, and when so amended, to recommend its passage, viz :

Amend by adding

SECTION 3. This act shall apply to and include the non-resident and alien heirs and devisees of any residents of this State who shall have died before the passage of this act, and such alien heirs may, during the period of eight years from the passage of this act, hold alien, sell and convey in fee simple, any such real estate, in the same manner as they could do, had their ancestors or devisees departed this life subsequent to the passage of this act, provided the estate is not already vested in resident heirs.

The report was concurred in, the amendment adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. DeHart, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate resolution requiring inquiry into the expediency of fixing by law a uniform price for publishing the delinquent tax lists of the several counties of this State, have considered the same, and report that it would be politic, and that the bill introduced by the honorable Senator from Miami fully covers the ground contemplated by the resolution,

Which was concurred in.

Message from the House, by Mr. Gordon, Clerk thereof :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendment, viz :

Senate bill No. 203. An act to authorize the Governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the General Government to the same, and which are not in the possession of companies meeting

regularly for drill, and to substitute legal proceedings to recover the said arms and equipments, or the value thereof, and also to provide for the distribution of the public arms, and repeal all laws in conflict therewith.

Mr. Wolfe, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to whom was referred Senate bill No. 270, being "an act creating a Common Pleas district, of certain counties therein named, and providing for the appointment and election of judges and prosecuting attorney thereof," introduced by Mr. Wagner, have had the same under consideration, and have directed me to report the same back with the recommendation that it lie on the table, for the reason that such a law would be inexpedient.

Pending the consideration of the report,

On motion by Mr. Wagner,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Leave being granted,

Mr. Johnston introduced

Senate bill No. 277. A bill to amend sections fifty-four and sixty-six of an act entitled "an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and defining the boundaries of the counties of Morgan and Putnam,

Which was read a first time, and passed to a second reading on tomorrow.

On motion by Mr. Wagner, the following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to attend in the hall of the House instantler to go into the election of two Sinking Fund Commissioners, and that seats are provided for them on the right of the Speaker's chair.

On motion,

The message was concurred in, and the invitation accepted.

Whereupon, the Senate, preceded by its President, repaired to the hall of the House.

The President of the Senate called the Joint Convention of the two Houses of the General Assembly to order, and announced that the purpose for which they had convened was the election of two Commissioners of the Sinking Fund.

Mr. Heffren, of the House, nominated Joseph V. Bemusdaffer for Commissioner of the Sinking Fund.

Mr. Frasier, of the House, nominated, Isaac Jenkinson for Commissioner of the Sinking Fund.

Those who voted for Isaac Jenkinson were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Stone, Teegarden, Turner, Wagner, and White of the Senate—24.

Messrs. Anderson, Bingham, Boydston, Branham, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Goar, Gresham, Grover, Haworth, Henricks, Hopkins, Hudson, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lee, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Parrett, Ragan, Randall, Sherman, Sloan, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Wells, Williams, Wilson, Woodhull, Woods, and Mr. Speaker of the House of Representatives—58.

Total number of votes cast for Isaac Jenkinson..... 82.

Those who voted for Joseph V. Bemusdaffer were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Lan-

ders, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe of the Senate—19.

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Coop-
rider, Davis, Dobbins, Fleming, Ford, Gifford, Hayes, Heffren, Hol-
comb, Horton, Howard, Jenkinson, Kitchen, Knowlton, Lods, Mc-
Clurg, McLean, Moss, Mutz, Owens, Packard, Pitts, Polk, Prow,
Roberts, Smith of Bartholomew, Stevenson, Stotsenberg, Trier, and
Warrum of the House of Representatives—35.

Total number of votes for Joseph V. Bemusdaffer were..... 54.

Total number of votes given..... 136

Necessary to a choice..... 69

Isaac Jenkinson, having received a majority of the votes given,
was thereupon, by the President of the Senate, declared duly elected
a Commissioner of the Sinking Fund for the term of four years.

Senator Stone nominated Nathaniel Kemp for the office of Com-
missioner of the Sinking Fund.

Mr. Heffren, of the House, nominated Parmenter M. Parks for the
office of Commissioner of the Sinking Fund.

Those who voted for Nathaniel Kemp were

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Clay-
pool, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull,
March, Mellett, Miller, Murray, Newcomb, Stone, Teegarden, Tur-
ner, Wagner, and White of the Senate—24.

Messrs. Anderson, Bingham, Boydston, Branham, Brucker, Bryan,
Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley,
Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, For-
dyce, Fraley, Frasier, Goar, Gresham, Grover, Hall, Haworth, Hen-
ricks, Hopkins, Hudson, Jones of Tippecanoe, Jones of Vermillion,
Jones of Wayne, Kendrick, Lane, Lee, Lighter, Moody, Moorman,
Nebeker, Newman, Orr, Parrett, Ragan, Randall, Sherman, Sloan,
Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch,
Wells, Williams, Wilson, Woodhull, Woods, and Mr. Speaker of the
House of Representatives—59.

Total number of votes cast for Nathaniel Kemp..... 83

Those who voted for Parmenter M. Parks were

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Lan-
ders, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studaba-
ker, Tarkington, Wilson, and Wolfe of the Senate—19.

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Coop-
rider, Davis, Dobbins, Fleming, Ford, Gifford, Hayes, Heffren, Hol-
comb, Horton, Howard, Jenkinson, Kitchen, Knowlton, Lods, Mc-
Clurg, McLean, Moss, Mutz, Owens, Packard, Pitts, Polk, Prow,
Roberts, Smith of Bartholomew, Stevenson, Stotsenburg, Trier, and
Warrum of the House of Representatives—35.

Total number of votes cast for Parmenter M. Parks..... 54

Total number of votes given..... 137

Necessary to a choice..... 69

Nathaniel Kemp, having received a majority of all the votes given,
was thereupon, by the President of the Senate, declared duly elected
a Commissioner of the Sinking Fund for the term of four years.

The President then declared that the business for which the Joint
Convention had assembled was accomplished, and the Senate returned
to its chamber.

Mr. Johnston moved to suspend the rule, and read Senate bill No.
277 a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Con-
ley, Cravens, DeHart, Ferguson, Grubb, Hull, Johnston, Jones, Lan-
ders, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien,
Odell, Ray, Shields, Shoemaker, Slack, Steele, Stone, Studabaker,
Tarkington, Turner, White, Williams, Wilson, and Wolfe—36.

Those who voted in the negative were,

Messrs. Anthony, Blair, Craven, Culver, Dickinson, Miller, Tee-
garden, and Wagner—8.

So the rules were suspended, and the bill was read a second time
by its title.

Mr. Johnston moved that the bill be considered as engrossed and
read a third time now,

Which was agreed to, and

Senate bill No. 277

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Carnahan, Cobb, Conley, Cravens, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, Newcomb, O'Brien, Ray, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Wagner, Williams, Wilson, and Wolfe—27.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Blair, Campbell, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Hull, March, Mellett, Miller, Murray, Teegarden, Turner, and White—18.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Blair offered the following concurrent resolution:

Be it resolved, by the Senate (the House of Representatives concurring therein,) That the Senate and House of Representatives shall, upon the passage of this resolution by either House, proceed immediately to elect, by a *viva voce* vote, two Trustees for the Asylum for the Blind, and two Trustees for the Institution for the Education of the Deaf and Dumb, and two Commissioners for the Hospital for the Insane, and also a President for the said several Boards of Trustees and Commissioners; and the persons receiving a majority of all the votes cast in each House shall be declared duly elected to fill the said several offices; and the Secretary of the Senate and the Clerk of the House of Representatives shall immediately, upon the choice as herein provided by the respective Houses, certify the same to the Governor and Secretary of State.

Which was adopted.

The Senate then proceeded to elect a President of the Board of Trustees for the Benevolent Institutions of the State.

Mr. Newcomb nominated Andrew Wallace, of Marion county, for President of the Board of Trustees.

Those who voted for Andrew Wallace were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Turner, Wagner, and White—26.

Those who voted for Mr. Talbott were,

Messrs. Carnahan, Cobb, Ferguson, Line, Lomax, Ray, and Tarkington—7.

Senators Odell, Williams, and Wilson voting for Senator Steele.

Senator Teegarden voting for William C. Hanna.

Total number of votes given	36
Necessary to a choice.....	19

Mr. Wallace having received a majority of all the votes given, was thereupon declared by the President of the Senate duly elected, on the part of the Senate, President of the Board of Trustees of the Benevolent Institutions of the State.

The Senate then proceeded to elect two Trustees for the Institute for the Blind.

Mr. White nominated John Beard, of Tippecanoe county, for Trustee of the Institute for the Blind.

Mr. Slack nominated Harvey G. Hazelrigg, of Boone county.

Those who voted for John Beard were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Teegarden, Turner, Wagner, and White—28.

Those who voted for Harvey G. Hazelrigg were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—17.

Total number of votes given	45
Necessary to a choice.....	23

John Beard having received a majority of all the votes given, was thereupon by the President of the Senate declared duly elected, upon the part of the Senate, a Trustee of the Asylum for the Blind.

Mr. Claypool nominated William M. Smith, of Fayette county, for Trustee for the Blind.

Mr. Slack nominated M. Fitzgibbon, of Marion county.

Those who voted for Mr. Smith were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted for Mr. Fitzgibbon were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—20.

Total number of votes given	46
Necessary to a choice.....	24

Wm. M. Smith having received a majority of all the votes given, was thereupon by the President of the Senate declared duly elected, on the part of the Senate, a Trustee of the Asylum for the Blind.

The Senate then proceeded to elect two Trustees for the Institute for the Deaf and Dumb.

Mr. Newcomb nominated James C. Burt.

Mr. Slack nominated John M. Kitchen, of Marion county.

Those who voted for James C. Burt were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Shields, Steele, Stone, Teegarden, Turner, Wagner, and White—27.

Those who voted for John M. Kitchen were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, O'Brien, Odell, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—19.

Total number of votes given	46
Necessary to a choice.....	24

James C. Burt having received a majority of all the votes given, was thereupon by the President of the Senate declared duly elected,

on the part of the Senate, a Trustee of the Institute for the Deaf and Dumb.

Mr. Newcomb nominated John M. Kitchen, of Marion county.

Mr. Slack nominated Thomas W. Woollen, of Johnson county.

Those who voted for John M. Kitchen were,

Messrs. Anthony, Bearss, Beeson, Berrg, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—35.

Those who voted for Thomas W. Woollen were,

Messrs. Cobb, Johnston, Landers, Line, Ray, Shields, Shoemaker, Slack, Studabaker, Williams, and Wolfe—11.

Total number of votes given.....	46
Necessary to a choice.....	24

John M. Kitchen having received a majority of all the votes given, was thereupon by the President of the Senate declared duly elected, on the part of the Senate, a Trustee of the Institute for the Deaf and Dumb.

The Senate then proceeded to elect two Commissioners for the Insane Asylum.

Mr. Tarkington nominated Mr. Edwin J. Peck, of Marion county.

Mr. Newcomb nominated Mr. Patrick Henry Jameson, of Marion county.

Those who voted for Mr. Jameson were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Turner, Wagner, and White—25.

Those who voted for Mr. Peck were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Williams, Wilson, and Wolfe—22.

Total number of votes given	47
Necessary to a choice	24

Patrick Henry Jameson having received a majority of all the votes given, was thereupon, by the President of the Senate, declared duly elected, on the part of the Senate, a Commissioner of the Asylum for the Insane.

Mr. Conner nominated John W. Moody, of Decatur county.

Mr. Slack nominated Henry Brady of Marion county.

Those who voted for Mr. Moody were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Craven, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Turner, Wagner and White—25.

Those who voted for Mr. Brady were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Williams, Wilson and Wolfe—22.

Total number of votes given	47
Necessary to a choice	24

John W. Moody having received a majority of all the votes given was thereupon, by the President of the Senate, declared duly elected, on the part of the Senate, a Trustee of the Asylum for the Insane.

Leave being granted,
Mr. White introduced,

Senate bill No. 278. A bill making an appropriation for carrying on the work on the Northern State Prison, and providing the manner of completing the same, and prescribing the powers and duties of the board of directors in relation thereto.

Which was read a first time.

Mr. White moved to suspend the order of business, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Campbell, Carnahan, Conley, Conner, Culver, DeHart, Ferguson, Grubb, Johnston, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Shields, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—27.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Blair, Claypool, Cobb, Craven, Cravens, Dickinson, Hamilton, Hull, Landers, Lomax, Mellett, Ray, Shoemaker and Studabaker—17.

So the order of business was not suspended, and the bill passed to a second reading on to-morrow.

Mr. Berry, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills would respectfully report that they have compared the engrossed with the enrolled copy of Senate bill No. 203, a bill authorizing the Governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the General Government to the same, and which are not in the possession of companies meeting regularly for drill ; and to institute legal proceedings to recover said arms and equipments or the value thereof ; also, to provide for the distribution of the public arms, and repeal all laws in conflict therewith ; and find the same correctly enrolled.

Mr. Bearss moved to suspend the order of business, and receive a report from the Committee on Swamp Lands.

Mr. Wagner moved the previous question,
Which was seconded by the Senate.

So the main question was ordered.

Mr. Turner, from the Committee on Swamp Lands, made the following report :

MR. PRESIDENT :

They find that great frauds have been perpetrated on the Swamp Land Fund. The law of 1857 authorized lands to be paid for in

ditching. Advantage of this law has been taken in many instances by parties in collision with the Swamp Land Commissioners, and your committee find that in many instances said Commissioners now hold, as part of these nefarious transactions, a share of those lands so acquired. That the same have been paid for with Swamp Land certificates, issued by said Commissioners for work done, when in fact, your committee verily believe, from good and reliable information, only a portion of said work has been performed, and in a majority of cases a spade has never broken the sod. Such certificates are entirely fraudulent, and with such certificates have thousands of acres of our Swamp Lands been paid for, and the fund plundered by the very men who had sworn to protect it.

Your committee find that the attention required of them for other duties, entirely precludes the hope of a full investigation of all the frauds throughout the State, and in view of these facts, as set forth in this report, your committee are deeply impressed, that for the honor of the State, such glaring frauds should not be carried on and consummated with impunity, and believing that many thousands of acres can be recovered back to the State, and these fraudulent titles set aside, would respectfully recommend that some measures be promptly taken to inquire into these matters, and for this purpose would suggest that a joint committee be appointed by the Legislature, or that the Governor be authorized to appoint some suitable person, whose duty it shall be to investigate frauds on this fund, and in any case where, in his judgment, lands can be recovered back to the State, or in cases where ditches have been paid for and not dug, he shall then, in conjunction with the Attorney General, commence judicial proceedings against those parties engaged in such frauds, and shall prosecute the same to final judgment, if in their opinion such proceeding would be advisable. And your committee would further recommend that full power should be given to the Attorney General to prosecute in all cases as referred to in this report.

The question being, shall the report of the committee be received,
It was agreed to.

Mr. Wagner moved to lay the report upon the table, and print 500 copies for the use of the Senate and House.

Mr. Tarkington moved to lay the motion upon the table.
Which was not agreed to.

Mr. Tarkington moved to amend the motion to lay the report upon the table and print 500 copies, by adding that the evidence taken by the committee should be printed with the report.

Mr. Bearss moved to lay the motion to amend upon the table.

The ayes and noes being demanded by Senators Johnston and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Steele, Stone, Teegarden, Turner, Wagner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Craven, Ferguson, Johnston, Jones, Landers, Line, Lomax, Newcomb, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—22.

So the motion to amend was laid upon the table.

The question recurring upon the motion to lay the report upon the table and print 500 copies.

Mr. Tarkington moved that the minority of the committee be authorized to print a report.

Mr. Slack moved to postpone the further consideration of the subject until the minority report can be made.

Mr. Bearss moved to lay the motion to postpone upon the table.

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hamilton, Hull, Jones, March, Mellett, Miller, Murray, Steele, Stone, Turner, Wagner and White—25

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Williams, Wilson and Wolfe—20.

So the motion to postpone was laid upon the table.

Mr. Hamilton moved the previous question.

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hamilton, Hull, Jones, March, Mellett, Miller, Murray, Steele, Stone, Turner, Wagner and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Line, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Williams, Wilson and Wolfe—20.

So the previous question was not seconded by the Senate.

Mr. Tarkington offered the following amendment :

Resolved, That it is the interest of Indiana that the Northern Indiana Prison be abandoned as a prison, and that the contractors be paid according to the contract *for the work already done*.

Mr. Bearss moved to lay the resolution on the table.

The ayes and noes being demanded by Senators Tarkington and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Teegarden, Turner, Wagner and White—28.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Landers, Line, Lomax, O'Brien, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—19.

So the amendment was laid upon the table.

The question recurring upon the motion to lay the report upon the table and print 500 copies.

Mr. Bearss moved the previous question.

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner and White—28.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Lomax, O'Brien, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe—18.

So the previous question was ordered.

The question being upon the motion to lay the report upon the table and print 500 copies.

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Ray, Shields, Steele, Stone, Turner, Wagner and White—31.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Johnston, Landers, Lomax, O'Brien, Odell, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Williams and Wilson—14.

So the report was laid upon the table, and 500 copies thereof ordered to be printed.

Mr. Cobb moved that the order of business be suspended for the purpose of introducing a resolution.

Mr. Claypool moved to lay the motion upon the table,
Which was agreed to.

Senate bill No. 153. An act for the relief of Catherine P. Whitelsey, to vest in her certain real estate, recently held by John Lindsey, late of Vanderburgh county, Indiana, deceased, which has escheated to the State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shields, Shoemaker, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—45.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 109. An act to amend the first section of an act entitled "An act defining who are persons of insane mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of insane mind, and providing for their restraint when necessary." Approved May 28, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, Lomax, March, Miller, Murray, O'Brien, Odell, Ray, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson and Wolfe—38.

Those who voted in the negative were,

Messrs. Berry, Campbell, Hamilton, Newcomb and Shields—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 164. A bill to authorize administrators and executors to administer oaths to appraisers and clerks, who may be employed in connection with decedents' estate,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—42.

Those who voted in the negative were,

Messrs. Claypool and Conner.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 170. A bill to amend the first, second, third and fourth sections of an act entitled "an act for the protection of the trust and other funds of this State, and to provide for the substitution of mortgages and prescribing the punishment of officers who loan a greater amount of said funds than is authorized by law, approved March 2, 1855,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Shields, Steele, Stone, Studabaker, Teegarden, Turner, White, and Williams—37.

Those who voted in the negative were,

Messrs. Slack and Wolfe—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 150. A bill to amend sections four and seven of an act entitled "an act to provide for the election, fixing the compensation, and prescribing the duties of the Attorney General of the State of Indiana, approved February 21, 1855,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, Williams, and Wolfe—34.

Those who voted in the negative were,

Messrs. Carnahan, Johnston, and Shields—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 142. A bill to authorise the Trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its cabinet, and library, and the improvement of the University square in Indianapolis, and directing the State Librarian to transfer certain documents and books herein named to the Library of the State University, also making the State Geologist a member of the faculty of the University, and requiring him to deposit a specimen of mineralogy and geology in the cabinet of the same,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messes. Anthony, Beeson, Berry, Blair, Carnahan, Claypool, Craven, Culver, DeHart, Dickinson, Grubb, Hull, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Steele, Tarkington, Teegarden, Turner, Wagner, Williams, Wilson, and Wolfe—28.

Those who voted in the negative were,

Messrs. Bearss, Campbell, Conner, Hamilton, Jones, Landers, Stone, and Studabaker—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Tarkington moved to amend the bill by striking out the second section thereof,

Which was unanimously agreed to.

Mr. Tarkington moved to amend the title by striking out all that relates to University square,

Which was unanimously agreed to.

Senate bill No. 112. A bill to regulate the remission of fines and forfeitures, and to repeal all laws conflicting with the provisions of this act,

Which was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Cobb, Craven, Culver, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, Miller, Murray, Newcomb, Odell, Slack, Steele, Stone, Tarkington, Teegarden, Wagner, and Williams—26.

Those who voted in the negative were,

Messrs. Bearss, Campbell, DeHart, March, Mellett, and Turner—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 199. A bill to amend section one of an act entitled "an act supplemental to an act to exempt property from sale in certain cases," approved February 17, 1852, approved March 5, 1859, so as to include all kinds of personal property,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Blair, Campbell, Carnahan, Claypool, Cobb, Craven, DeHart, Dickinson, Ferguson, Grubb, Johnston, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Slack, Stone, Tarkington, Teegarden, Turner, Williams, and Wolfe—27.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Conner, Hamilton, Hull, Mellett, Shoemaker, and Wagner—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the Governor by Mr. Holloway, his private secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 31, an act to legalize, authorize, and regulate the sale of and to perfect the title of purchasers of railroads heretofore sold, by foreclosure or other proceedings in law or equity, and to entitle them to organize corporations, and to exercise corporate and other powers, to provide for the payment of stock injured by such corporation, and to provide for the payment of ticket and freight balances, and has caused the same to be filed in the office of the Secretary of State.

Mr. Wagner offered the following resolution:

Resolved, That the Committee on State Prison be directed to revise and abridge the evidence taken before said Committee at this session, and report an abstract of the same to the Senate,

Which was agreed to.

Mr. Campbell offered the following resolution:

Resolved, That the Finance Committee be instructed to inquire into the expediency of amending the revenue law so as to defer the collection of taxes from March till the first of June for the present year,

Which was agreed to.

Mr. Line offered the following resolution:

Resolved, That the Secretary of State be and he is hereby authorized to procure and have bound in sheep, at the earliest day, one copy each of the Journals of the Senate and the House of Representatives, one copy of Documentary Journal, and one copy of the Laws passed at the present session. Also, one copy of the Brevier Legislative Reports of the present session for each Senator and elected officer of the Senate, and to forward the same to their post office address.

Mr. Johnston moved to stike out "sheep" and insert "dog."

Mr. Line moved to lay the amendment on the table,
Which was agreed to.

Mr. Wagner moved to amend, so as to instruct the Finance Committee to provide for the necessary expenses in the specific appropriation bill.

Mr. Beeson moved to amend the amendment by inserting "at his own expense."

Mr. Cobb moved the previous question,

Which was seconded by the Senate.

The question occurring upon the amendment to the amendment,
It was not agreed to.

The question occurring upon the amendment of Mr. Wagner,
It was agreed to.

The question then being, shall the resolution be adopted?
It was agreed to.

Mr. Wagner moved that the Senate take a recess until half-past seven o'clock, P. M.

Mr. Slack moved to amend, as follows: "That the Senate now adjourn."

The ayes and noes being demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Jones, Line, Lomax, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—17.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Teegarden, Turner, and Wagner—26.

So the amendment was not agreed to.

The question recurring upon the adoption of the motion of Mr. Wagner,

It was agreed to, and

The Senate took a recess until half-past seven o'clock, P. M.

7½ o'clock, P. M.

The Senate met.

SPECIAL ORDERS.

The hour having arrived, the Senate resumed the consideration of the special order, being the minority report of the Committee on Federal Relations, the consideration of which had been made the special order for this day at half-past seven o'clock, P. M.

Pending which,

On motion by Mr. Shields,

A call of the Senate was ordered.

The Secretary proceeded with the call, whereupon, the following Senators answered to their names:

Messrs. Anthony, Bearss, Beeson, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Ferguson, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Shields, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, and Wilson—34.

On motion by Mr. Shields,

The absentees were ordered to be sent for.

On motion by Mr. Conner,

The Senator passed informally over the call, and

Mr. Dickinson, from the Committee on Organization of Courts, made the following report:

MR. PRESIDENT:

I am instructed by the Committee on the Organization of Courts, to whom was referred Senate bill No. 247, a bill to create the twenty-second district of the Court of Common Pleas composed of the counties of Jennings, Lawrence and Jackson, have instructed me to report the same back, and recommend that it lie on the table,

Which was concurred in.

A message from the Governor by Mr. Holloway, his private Secretary:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 203, an act to authorize the Governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the General Government to the same, and which are not in the possession of companies meeting regularly for drill; and to institute legal proceedings to recover said arms and equipments, or the value thereof, and also to provide for distribution of the public arms, and to repeal all laws in conflict therewith.

Mr. Beeson, from the Committee on Agriculture, made the following report:

MR. PRESIDENT:

The Committee on Agriculture, to which was referred Senate bill No. 200, an act to authorize the draining of swamp or wet lands, and providing for the assessment and payment of the damages occasioned thereby, have had the same under consideration, and direct me to report it back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

On motion by Mr. Line,
The further call of the Senate was dispensed with.

The Senate having resumed the consideration of the special order,
S. J.—52.

Mr. Line moved to postpone the further consideration thereof until Saturday morning at 10 o'clock, P. M., and make it the special order for that hour.

Mr. March moved to amend the motion by striking out "Saturday" and inserting "Monday."

The ayes and noes were demanded by Senators March and Carnahan,

Pending the vote upon the amendment of Mr. March,

On motion by Mr. Wagner,
The Senate adjourned.

WEDNESDAY MORNING, 9 o'clock, }
March 6, 1861.

The Senate met.

Mr. Murray moved that the reading of the Journal be dispensed with.

The ayes and noes being demanded by Senators Slack and Carnahan,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Dickinson, Grubb, Hamilton, Hull, Mellett, Miller, Murray, Newcomb, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, and Wagner—24.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Ferguson, Johnston, Jones, Line, Ray, Shields, Slack, Studabaker, Williams, and Wolfe—12.

So the reading of the Journal was dispensed with.

The President laid before the Senate the following communication from the Principal Doorkeeper:

SENATE CHAMBER, March 5, 1861.

TO THE HON. JOHN R. CRAVENS,

President of the Senate of Indiana:

SIR:—I have the honor to announce to the Senate that in accordance with its resolution of yesterday, I have contracted with Messrs. Ariel and W. H. Drapier, for 600 copies of the Brevier Legislative Reports, for the use of the Senate.

Very respectfully,

S. G. THOMPSON,
Doorkeeper of Senate.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Wolfe presented a memorial from sundry citizens of the State of Indiana on the state of the Union.

Which was referred to the Committee on Federal Relations.

REPORTS FROM STANDING COMMITTEES.

Mr. Conner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 68, a bill to establish an insurance department, providing for a commissioner thereof, prescribing the mode of election and defining his powers and duties, have had the same under consideration, and direct me to report said bill back to the Senate, and recommend its indefinite postponement.

The report was concurred in, and the bill indefinitely postponed.

Mr. Claypool, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 250, a bill authorizing liens in favor of attorneys and counsellors at law in certain cases, have had the same under consideration, and have directed me to report the same back with the following amendments, and when so amended recommend its passage:

Amend the title by inserting the following as the title of said bill: "A bill authorizing liens in favor of landlords and attorneys and counsellors at law in certain cases."

Amend the bill by adding thereto the following:

SECTION 2. That when any lands have been or may be let, reserving rent in money or in kind, without personal or other security being exacted, the owner or owners thereof shall and may have a lien upon the crops thereof, whether growing, standing, or gathered thereon, for the amount of the rent reserved or bargained for, not exceeding one year's rent, which lien shall take precedence of any execution or attachment which may be levied upon said crops, or any portion thereof, and also of all claims made by resident householders under the provisions of the exemption law.

SEC. 3. In all cases where lands have been let, reserving rent in kind, and the crops growing or grown thereon are levied upon or attached by virtue of any execution, attachment, or other process against the owner of the land or the tenant, the interest of such owner or tenant, against whom such process was not issued, shall not be affected thereby, but the same may be sold subject to the claim or interest of the owner or tenant against whom such process did not issue.

SEC. 4. When the crops, which may be growing, standing or gathered, upon the land occupied by any renter, or any portion thereof, shall be levied upon by the sheriff or any other officer, for the satisfaction of any judgment or decree against such tenant, such sheriff or other officer shall give immediate notice to the owner of said premises, his or her agent or attorney, who shall, within five days thereafter, proceed, before some justice of the peace, to establish his or her claim, by proof thereof. When rent, in money, has been reserved or bargained for, and shall give three days' notice to such officer, and also to such tenant, of the time and place of providing the same.

SEC. 5. If it shall appear, upon proof being taken, that the rent reserved or bargained for was to be paid in money, the sheriff or other officer shall proceed to sell said property, so levied on as aforesaid, and upon the sale thereof, shall first pay over out of the proceeds of said sale to the owner of the land, his or her agent or attorney, such rent so bargained for or reserved as aforesaid, or so much thereof as may come into his hands, and shall apply the surplus, if any, to the satisfaction of the debt and cost in such executions mentioned: *Provided*, That nothing in this act shall be so construed as to deprive the tenant of the benefit of the exemption law upon the residue of such crops or proceeds of the sale thereof, after the payment of such rent.

The question being, shall the report of the Committee be concurred in?

Mr. Murray moved the previous question.

The ayes and noes being demanded by Senators Slack and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Jones, March, Mellett, Miller, Murray, Newcomb, Shields, Shoemaker, Steele, Stone, Wagner and White—27.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Johnston, Landers, Line, Ray, Slack, Studabaker, Tarkington, Teegarden, Turner, and Williams—13.

So the previous question was sustained, and the main question ordered.

The question being, shall the report be concurred in?

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Mellett, Miller, Murray, Newcomb, Odell, Shields, Shoemaker, Steele, Stone, Wagner, and Wilson—29.

Those who voted in the negative were,

Messrs. Cobb, Conley, Johnston, Line, March, Ray, Slack, Studabaker, Teegarden, Turner, White, Williams, and Wolfe—13.

So the report was concurred in.

Mr. Carnahan moved that the bill be considered as engrossed, and read a third time now.

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Miller, Murray, Newcomb, Odell, Shields, Shoemaker, Steele, Stone, Wagner, and Wilson—28.

Those who voted in the negative were,

Messrs. Cobb, Conley, Johnston, Line, March, Ray, Slack, Studabaker, Tarkington, Teegarden, Turner, White, Williams, and Wolfe—14.

So the motion prevailed, and Senate bill No. 250 was read a third time.

Mr. Hamilton moved the previous question.

The ayes and noes being demanded by Senators Ray and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Shields, Shoemaker, Steele, Stone, Wagner, White, and Wilson—32.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Johnston, Ray, Slack, Studabaker, Tarkington, Teegarden, Turner, Williams, and Wolfe—12.

So the previous question was sustained, and the main question was ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Landers, Line, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Shields, Shoemaker, Steele, Stone, Wagner and Wilson—31.

Those who voted in the negative were,

Messrs. Cobb, Conley, Johnston, March, Slack, Studabaker, Tarkington, Teegarden, Turner, White, Williams and Wolfe—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Wagner,

The Senate took up House bill No. 325, and

House bill No. 325. A bill to raise the revenue for State purposes for the year 1861 and 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Shields, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—39.

Those who voted in the negative were,

Messrs. Ray and Slack—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By unanimous consent,
Mr. Claypool substituted,

Senate bill No. 121. A bill supplementary to an act to authorize and regulate the business of general banking, approved March 3, 1855, and authorizing the Auditor and Treasurer of State to surrender the securities and money deposited in certain cases; for Senate bill No. 121 of corresponding title, which had been lost; and

Mr. Turner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred Senate bill No. 121, a bill supplementary to an act to authorize and regulate the business of general banking, approved March 3, 1855, and authorizing the Auditor and Treasurer of State to surrender the securities and money deposited in certain cases; have had the same under advisement, and have directed me to report the same back to the Senate with the following amendments, and when so amended to recommend its passage.

Amend the title of the bill so as to read as follows:

A bill supplementary to an act to authorize and regulate the busi-

ness of general banking, approved May 3, 1855; and to authorize the Auditor and Treasurer of State to surrender the securities and moneys deposited, and to declare and pay out a further dividend in certain cases.

And amend section one by striking out all after the word "shall," in line 22, and insert the following:

"After having given ninety days notice by publication in the Indiana State Journal and Sentinel that the Auditor will redeem all the outstanding notes of any such bank, at the same rate as the previous notes have been redeemed, by the Auditor of State, upon a dividend by said Auditor previously declared, and after having redeemed all the notes of any such bank so presented within said ninety days, then said Auditor and Treasurer shall make, declare and pay out a further dividend of any surplus that may be remaining in the office of said Auditor or Treasurer, belonging to any such bank, to the holders of certificates of any unpaid balance, and if there should be any surplus remaining after having redeemed the outstanding certificates at par, then the stockholders of any such bank, or such bank, may receive such surplus by filing with said Auditor a bond in double the amount so received by said bank, or the stockholders thereof, with sufficient security to redeem the outstanding notes of said bank, to the amount so received, that may be returned for redemption within two years from and after the filing of said bond."

Amend by adding the following section:

"Inasmuch as an emergency exists for the taking effect of this act, it is hereby declared that this act shall take effect and be in force from and after its passage."

Mr. Tarkington moved to concur in the report of the committee, and that the bill, (having been previously read a third time,) be put upon its passage.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Culver, Dickinson, Grubb, Hamilton, Hull, Johnston, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Steele, Tarkington, Wagner, White and Wilson—27.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Jones, Landers, Ray, Shields, Shoemaker, Slack, Stone, Studabaker, Teegarden, Turner, Williams and Wolfe—15.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Shields, from the Committee on Temperance, made the following report :

MR. PRESIDENT :

The Committee on Temperance, to whom was referred Senate bill No. 34, a bill to amend section two and five of an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all [former] laws contravening the provisions of this act, and prescribing punishment for violation thereof, approved March 5, 1859, have had the same under consideration, and instructed me to report the same back to the Senate, and recommend that the same be laid on the table.

The question being, shall the report of the Committee be concurred in?

The ayes and noes being demanded by Senators Shields and Murray,

Those who voted in the affirmative were,

Messes. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Jones, March, Mellett, Murray, Newcomb, Odell, Ray, Shields, Stone, Tarkington, Teegarden, Turner, White, and Williams—28.

Those who voted in the negative were,

Messrs. Anthony, Cobb, Conley, Hull, Johnston, Landers, Line, O'Brien, Slack, Steele, Studabaker, Wilson, and Wolfe—13.

So the report was concurred in, and the bill was laid upon the table.

Mr. Conner, from the Committee on the Organization of Courts, made the following report :

MR. PRESIDENT :

The Committee on the Organization of Courts, to whom was referred House bill No. 243, being a bill fixing the time of holding the Circuit Court in the First Judicial Circuit, and repealing all laws in conflict therewith, having had the same under consideration, have directed me to report the same back to the Senate with the accompanying amendment.

Amend section second by striking out, in the last line, the word "three" and inserting "four."

And when so amended they recommend its passage.

The report was concurred in, and the amendments adopted.

Mr. Conner moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to, and

The bill was read a third time.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Culver, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 173, a bill supplemental to the act of March 2, 1855, an act to re-locate county seats, &c.

This bill provides for the re-location of county seats, &c., formed out of the territory of another county where no court house has been erected. The bill provides three-fifths of the voters of the county can petition the board of county commissioners (the number of voters to be based on any previous general election for a re-location of the county seat.) The petitioners or parties in their behalf shall secure to the county \$1,000 cash, 160 acres of land in the limits of the county; also, every third lot in the proposed town plot for the benefit of the county. The Committee recommend the passage of the bill.

Mr. Ray moved to recommit the bill with the following instructions:

Amend by striking out section three in relation to basis.

Fourth. That after the word "county," in the twenty-third line of section four of said act, the words "in the vicinity of such contemplated county seat suitable for a county poor farm," be inserted.

Fifth. And that after the word "and," in the twenty-fifth line of section four, of said act, "shall lay out as a town plat not less than eighty acres of land into lots of equal size, and donate every third lot to such county for county purposes."

And that after the word "site" in the eleventh line of section five of said act, the words, "Provided suitable buildings can be procured in which to do the county business."

Mr. March offered the following additional instructions:

Insert the words "or counties" after the second word "county" in the first section.

Mr. Culver moved to lay the additional instructions upon the table, Which was agreed to.

The question recurring upon the motion to recommit with instructions.

Mr. Turner moved to lay the motion upon the table.

The ayes and noes being demanded by Senators Turner and Ray,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Turner, Wagner, White, and Wilson—28.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Landers, Line, Ray, Shoemaker, Slack, Tarkington, and Williams—11.

So the motion to recommit with instructions was laid upon the table.

Mr. Turner moved that the bill be read a third time now. Which was agreed to, and

House bill No. 173, a bill supplemental to an act entitled an act supplemental to an act entitled an act to provide for the re-location of county seats, and for the erection of public buildings in case of such re-location, approved March 2, 1855, so as to provide for the re-location of county seats, and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a court-house; and when a deed has been executed, to provide also for the transfer of any equitable title for the terminations of actions growing out of such re-location, and for the transfer of the former county property, approved December 28, 1858, so as to provide for the re-location of county seats in counties where no court-house has been erected, which have been formed out of the territory of another county, and for the transfer of the county offices, books, &c.,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Odell, Steele, Stone, Turner, Wagner, White and Wilson—27.

Those who voted in the negative were,

Messrs. Cobb, Conley, Johnston, Jones, Landers, Line, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Williams, and Wolfe—14.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Mr. Culver, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate bill No. 241, a bill to amend sections one, two, and three, of an act entitled an act to provide for the re-location of county seats, and for the erection of public buildings in case of such re-location, approved March 2, 1855, and to provide for the disposition of grounds and buildings heretofore used as county buildings, and to provide for appeals from the decisions of boards of county commissioners in relation thereto, and to repeal all laws in conflict therewith.

The amendments proposed ought not to be made in the opinion of the committee, and recommend the bill lie on the table.

The report was concurred in, and the bill laid on the table.

Mr. Grubb, from the Committee on Rights and Privileges, made the following report:

MR. PRESIDENT:

I am directed by the Committee on Rights and Privileges, to whom was referred House bill No. 139, "a bill to enlarge the legal capacity of married women whose husbands are insane, and to enable them to contract, as if they were unmarried," to report that they have had the same under consideration, and report the same back and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Mr. DeHart, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House bill No. 81, entitled a bill to quiet the title of a piece of ground in Vanderburgh county, known as out-lot No. 5, according to the plan of the out-lots laid out by Robert W. Evans, on part of north-west quarter of section twenty-nine, of township six, south of range ten west, have considered of the same, and direct me to report the same back, and recommend its passage.

The report was concurred in, and the bill ordered to be engrossed and read a third time on to-morrow.

Message from the House by Mr. Gordon, clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the Senate engrossed amendments to House bill No. 84.

Mr. Miller, chairman of a select committee, made the following report:

MR. PRESIDENT :

The undersigned, a committee appointed to make examination into, and report to the Senate, the character and condition of the safes and vaults in the office of the Treasurer of State, beg leave to make the following report :

The office of Treasurer of State is provided with two safes, supposed to be "fire proof," differing materially in size, and, taken together, barely sufficient in capacity for the purposes of the office. There are no vaults in or connected with the office, and neither of the safes are "burglar proof." In the opinion of your committee, the interest of the State, the convenience of the office, and justice to the Treasurer of State, alike demand the appropriation of a sum sufficient for the purchase of one large "fire proof" and "burglar proof" safe, or for the building of a sufficient vault for the safe keeping of the Treasurer's books and bank bonds which are necessarily kept in said office. The small safe now in the office could be dispensed with in the event of the purchase of a large one, and we would recommend that the Treasurer be authorized to sell the same after the proper safe or vault may have been provided.

Your committee would, therefore, recommend an appropriation of a sum not exceeding one thousand five hundred dollars for the purpose above indicated, the same to be expended under the direction of the Treasurer of State, and would recommend a reference of this report to the Committee on Finance, with instructions to make the necessary provision in the appropriation bill for this appropriation.

Which was concurred in.

Mr. Johnston, from a select committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred Senate bill No. 260, a bill releasing to William Rockhill all the title and interest of the State to a tract of land in Allen county; have had the same under consideration, and direct me to report the same back, and recommend its passage, with the following amendments :

Strike out the 11th, 12th, 13th and 14th lines of the first section, and insert the following: the above mentioned tract of land."

An act releasing all the right, title, interest and claim of the State of Indiana in and to the———quarter of section No. ——, in township No. 30, north of range 12, north-east, situate in Allen county, in said State, to William Rockhill.

Whereas on the —— day of ——, 1860, the said William Rockhill executed a deed of conveyance to the State of Indiana for the above described tract of land, for the consideration of ten thousand dollars, for the purpose of locating the contemplated State Prison;

and whereas the contemplated State Prison was located at Michigan City; and whereas no part of the consideration money was ever paid or in any manner secured or provided for to the said Rockhill; Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the State of Indiana does hereby release and forever quit claim all her right, title, interest and claim to the said William Rockhill, of the county of Allen, in said State, in and to the ——— quarter of section No. ———, in township No. 30, north of range No. 12 east, situated in the county of Allen, and State of Indiana.

SEC. 2. The deed of conveyance heretofore executed by the said William Rockhill to the said State of Indiana for the above described real estate is hereby declared null and void, and of no effect or validity whatever.

SEC. 3. It is declared that an emergency exists for the taking effect of this act, the said act shall therefore take effect and be in force from and after its passage.

Amend the title so as to read as follows:

A bill releasing to William Rockhill all the right, title, interest and claim of the State of Indiana to the tract of land in the county of Allen, in the State of Indiana, as described in the conveyance executed by said Rockhill to said State, and to declare said conveyance null and void.

The report was concurred in and the amendments adopted.

Mr. Johnston moved that the bill be considered as engrossed and read a third time now,

Which was agreed to, and Senate bill No. 260 was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wilson—38.

Those who voted in the negative were,

Messrs. Cobb, Conley, Lomax, Ray, Shoemaker and Wolfe—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Mellett, from the Select Joint Committee on Congressional Apportionment, made the following report:

MR. PRESIDENT:

The Joint Committee on Congressional Apportionment, to whom was referred Senate bill No. 269, a bill to district the State of Indiana for the purpose of electing members to the Congress of the United States of America; have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be amended as follows:

Strike out the word "Madison," where it occurs in the fifteenth line, and insert "Howard."

And strike out the word "Howard," where it occurs in the twenty-fifth line, and insert "Madison," and when so amended recommend its passage.

Mr. Studabaker, from the same committee, made the following minority report:

MR. PRESIDENT:

The Committee on apportionment, to whom was referred Senate bill No. 269, a bill to district the State of Indiana for the purpose of electing members to the Congress of the United States of America, have had the same under consideration, and the undersigned, minority of said committee, dissent from the report of the majority of said committee, and submit the following amendment to said bill:

Strike out all after the enacting clause, and insert the following:

For the purpose of electing Representatives to the Congress of the United States of America, the State shall be divided into eleven Districts, each District being entitled to elect one member as follows, to-wit:

The counties of Posey, Vanderburgh, Warrick, Gibson, Pike, Dubois, Martin, Daviess, and Knox, shall form the First District.

The counties of Spencer, Perry, Crawford, Orange, Washington, Harrison, Floyd, Clark and Scott, shall form the Second District.

The counties of Lawrence, Monroe, Brown, Bartholomew, Jackson, Jennings, Jefferson, Switzerland and Ohio, shall form the Third District.

The counties of Dearborn, Ripley, Decatur, Franklin, Fayette, Union and Wayne, shall form the Fourth District.

The counties of Marion, Hendricks, Morgan, Johnson, Shelby and Rush, shall form the Fifth District.

The counties of Sullivan, Green, Owen, Clay, Vigo, Vermillion, Parke and Putnam, shall form the Sixth District.

The counties of Boone, Clinton, Carroll, Tippecanoe, Montgomery, Fountain, Warren, Benton, and White, shall form the Seventh District.

The counties of Hancock, Henry, Randolph, Jay, Delaware, Madison, Hamilton, and Tipton, shall form the Eighth District.

The counties of Howard, Grant, Blackford, Adams, Wells, Huntington, Wabash, Miami, and Cass, shall form the Ninth District.

The counties of Allen, DeKalb, Steuben, LaGrange, Elkhart, Noble, and Whitley, shall form the Tenth District.

The counties of Kosciusko, Fulton, Marshall, St. Joseph, Laporte, Starke, Pulaski, Newton, Jasper, Porter, and Lake, shall form the Eleventh District.

And when so amended, they recommend its passage.

Mr. Mellett moved to concur in the report of the majority of the committee.

Mr. Mellett moved the previous question.

The ayes and noes being demanded by Senators Murray and Mellett,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Newcomb, Steele, Stone, Teegarden, Turner, and Wagner—22.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Murray, O'Brien, Odell, Ray, Shoemaker, Shoulders, Studabaker, Tarkington, White, Williams, Wilson, and Wolfe—21.

So the previous question was not sustained.

Mr. Conner moved to concur in the report of the majority, with the following amendment:

Strike out from the Eleventh District "Madison county," and insert "Howard county."

S. J.—53.

Pending the consideration thereof,

On motion by Mr. Landers,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Conner having withdrawn his amendment offered prior to adjournment,

Mr. Conley moved to concur in the majority report, with the following amendment:

Strike out all after the enacting clause, and insert the following:

That for the purpose of electing Representatives to the Congress of the United States of America, the State shall be divided into eleven districts, each district being entitled to elect one member as follows, to-wit:

The counties of Posey, Vanderburgh, Warrick, Gibson, Pike, Spencer, Dubois, Knox, and Davis, shall form the First District.

And the counties of Perry, Crawford, Harrison, Orange, Washington, Martin, Floyd, and Clark, shall form the Second District.

And the counties of Scott, Jefferson, Jennings, Jackson, Lawrence, Monroe, Brown, and Bartholomew, shall form the Third District.

And the counties of Ohio, Switzerland, Dearborn, Ripley, Franklin, Decatur, Rush, and Fayette, shall form the Fourth District.

And the counties of Union, Wayne, Randolph, Delaware, Henry, Madison, Jay, and Blackford, shall form the Fifth District.

And the counties of Shelby, Hancock, Marion, Hendricks, Morgan, and Johnston, shall form the Sixth District.

And the counties of Greene, Sullivan, Vigo, Clay, Owen, Putnam, Pike, and Vermillion, shall form the Seventh District.

And the counties of Montgomery, Fountain, Warren, Tippecanoe, Clinton, Boone, Hamilton, and Benton, shall form the Eighth District.

And the counties of Tipton, Howard, Grant, Wabash, Miami, Cass, Carroll, Fulton, White, and Pulaski, shall form the Ninth District.

And the counties of Adams, Wells, Huntington, Whitley, Allen, DeKalb, Noble, LaGrange, and Steuben, shall form the Tenth District.

And the counties of Kosciusko, Elkhart, St. Joseph, Marshall, Starke, Laporte, Porter, Lake, Newton, and Jasper, shall form the Eleventh District.

Mr. Wagner moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Wagner and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Odell, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—17.

So the amendment was laid on the table.

Mr. Mellett moved the previous question.

Mr. Tarkington moved to lay the call for the previous question on the table,

Which the Chair decided to be out of order.

The question being, shall the previous question be seconded?

The ayes and noes being demanded by Senators Conley and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Steele, Stone, Teegarden, Turner, Wagner, and White—23.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Murray, Newcomb, O'Brien, Odell, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—22.

So the previous question was not sustained.

Mr. Studabaker moved to lay the majority report upon the table.

The ayes and noes being demanded by Senators Wagner and Slack.

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Murray, O'Brien, Odell, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—21.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—23.

So the majority report was not laid on the table.

Mr. Williams moved to concur in the report with the following amendment :

Strike out all after the enacting clause and insert the following :

That the State shall be divided into eleven districts, each district being entitled to elect one member, as follows, to-wit :

The counties of Posey, Vanderburg, Warrick, Gibson, Pike, Dubois, Martin, Daviess and Knox shall form the first district.

The counties of Spencer, Perry, Crawford, Orange, Washington, Harrison, Floyd, Clark and Scott shall form the second district.

The counties of Lawrence, Monroe, Brown, Bartholomew, Jackson, Jennings, Jefferson, Switzerland and Ohio shall form the third district.

The counties of Dearborn, Ripley, Decatur, Franklin, Fayette, Union and Wayne shall form the fourth district.

The counties of Marion, Hendricks, Morgan, Johnson, Shelby and Rush shall form the fifth district.

The counties of Sullivan, Green, Owen, Clay, Vigo, Vermillion, Parke and Putnam shall form the sixth district.

The counties of Boone, Clinton, Carroll, Tippecanoe, Montgomery, Fountain, Warren, Benton and White shall form the seventh district.

The counties of Hancock, Henry, Randolph, Jay, Delaware, Madison, Hamilton and Tipton shall form the eighth district.

The counties of Howard, Grant, Blackford, Adams, Wells, Huntington, Wabash, Miami and Cass shall form the ninth district.

The counties of Allen, DeKalb, Steuben, Lagrange, Elkhart, Noble and Whitley shall form the tenth district.

The counties of Kosciusko, Fulton, Marshall, St. Joseph, Laporte, Starke, Pulaski, Newton, Jasper, Porter and Lake shall form the eleventh district.

Mr. Claypool moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Slack and Jones,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—24.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Murray, O'Brien, Odell, Ray, Shoemaker, Shoulders, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—22.

So the amendment was laid upon the table.

Mr. Williams moved to postpone the further consideration of the subject until to-morrow, at 10 o'clock, A. M., and make it the special order for that hour.

Mr. Mellett moved to lay the motion on the table.

The ayes and noes being demanded by Senators Johnston and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Odell, Tarkington, Williams, Wilson, and Wolfe—13.

So the motion to postpone was laid upon the table.

Mr. Tarkington moved to postpone the further consideration of the subject until to-morrow, at 2 o'clock, P. M.

Mr. Bearss moved to lay the motion on the table.

The ayes and noes being demanded by Senators Cobb and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner and White—26.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, O'Brien, Odell, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—18.

So the motion to postpone was laid upon the table.

Mr. Murray moved the previous question.

The ayes and noes being demanded by Senators Studabaker and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner and White—26.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Jones, Landers, Line, O'Brien, Odell, Ray, Shoemaker, Slack, Tarkington, Williams, Wilson, and Wolfe—17.

So the previous question was sustained.

The question being, shall the majority report of the committee be concurred in?

The ayes and noes being demanded by Senators Cobb and Conley,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Grubb, Hull, March, Mellett, Miller, Newcomb, Steele, Stone, Teegarden, Turner, and Wagner—23.

Those who voted in the negative were,

Messrs. Cobb, Conley, Dickinson, Ferguson, Hamilton, Johnston, Jones, Landers, Line, Murray, O'Brien, Odell, Ray, Shoemaker, Slack, Tarkington, Williams, Wilson, and Wolfe—26.

So the report was concurred in.

Mr. Mellett moved that the bill be considered as engrossed, and read a third time now.

Mr. Cobb moved to lay the motion on the table.

The ayes, and noes being demanded by Senators Conley and Cobb,

Those who voted in the affirmative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Landers, Line, O'Brien, Odell, Shoemaker, Slack, Tarkington, Williams, Wilson, and Wolfe—15.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

So the motion to lay on the table did not prevail.

The question recurring upon considering the bill as engrossed,

Mr. Mellett demanded the previous question.

The ayes and noes being demanded by Senators, Cobb and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Bearss, Berry, Blair, Campbell, Clay-

pool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Hamilton, Johnston, Line, Odell, Shoemaker, Tarkington, Williams, and Wilson—11.

So the previous question was sustained.

The question being, shall the bill be considered as engrossed, and read a third time now?

The ayes and noes were demanded by Senators Williams and Tarkington,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Hamilton, Odell, Tarkington and Williams—4.

There being no quorum voting,

On motion by Mr. Wagner,

A call of the Senate was ordered, when the following Senators answered to their names:

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, and Williams—30.

On motion,

The absentees were sent for, but refused to return.

Mr. Williams moved that the Senate do now adjourn,

Which was not agreed to.

Mr. Wagner moved that the further call of the Senate be dispensed with,

Which the chair decided to be out of order.

Pending the call of the Senate,

On motion by Mr. Conner,
The Senate adjourned.

THURSDAY MORNING, 9 o'CLOCK, }
March 7, 1861.

The Senate met.

Called to order by the President.

Message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures, House bill No. 84.

The President and Secretary signed the bill.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the Senate amendment to House bill No. 243, to-wit:

House bill No. 243. A bill fixing the time of holding the Circuit Court in the First Judicial District, and repealing all laws in conflict therewith.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following bill of the Senate, to-wit:

Senate bill No. 115. A bill to amend the second and fifth sections of an act entitled an act to authorize the Commissioners of the Sinking fund to receive substitutions of stock mortgages, and for other

purposes, approved January 20, 1847, and containing some provisions respecting the reinstating of mortgages given for loans made from the Sinking Fund, or any fund loaned by the Auditor and Treasurer of State, and sales made on account of any of said funds, and respecting the collection and safety and control of said funds, the time and place and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith, and to authorize the conversion of Indiana stocks into bank bonds, and requiring the Commissioners to account for the interest on deposits of the income of the fund and making the same part thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate, for their signatures, enrolled House bill No. 173.

The President and Secretary signed the bill.

Pending the call of the Senate, commenced on yesterday, no quorum being present,

On motion by Mr. Anthony,
The Senate adjourned until 11 o'clock, A. M., to-day.

11 o'clock, A. M.

The Senate met.

The call of the Senate pending being proceeded with, the following Senators answered to their names in addition to those who answered the call, and were registered on yesterday:

Messrs. Cobb, Conley, Ferguson, Jones, Line, Robinson, Shields, Shoemaker, Slack, Studabaker, and Wilson—11.

A quorum being present,

On motion by Mr. Wagner,

The further call of the Senate was dispensed with.

Mr. Wagner moved that the further consideration of the subject-matter pending at adjournment on yesterday be postponed until tomorrow at 2 o'clock P. M.

Which was agreed to.

On motion by Mr. Wagner,

The Senate took up the following message from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed engrossed bill thereof, to-wit, No. 336 :

House bill No. 336. A bill making general appropriations for the years 1861 and 1862.

In which the concurrence of the Senate is requested.

House bill No. 336, contained in the foregoing message,
Was read a first time.

Mr. Wagner moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wilson—42.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second time by its title.

Mr. Newcomb offered the following instructions :

Amend section —, by striking out \$3,000, and inserting \$600 for the contingent fund.

Amend by inserting in the proper place the following :

For furnishing the Governor's House, \$1,200.

Appropriate \$1,000 for the Governor's House for 1862.

Strike out \$3,000, and insert \$4,000 for the contingent fund of 1862.

Mr. Anthony offered the following additional instructions:

Amend by striking out \$14,000, appropriated for the State Prison south, and inserting \$20,000 in its place.

On motion,

The bill and instructions were referred to the Committee on Finance.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

Senate bill No. 107. A bill for the relief of the heirs of Michael O'Brien, deceased, with the following engrossed amendment of the House thereto:

Amend thus: "Strike out all that relates to publication in the Indiana State Journal and Indiana State Sentinel."

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

The President laid before the Senate the following communication:

To the General Assembly of the State of Indiana:

The undersigned having entered into a contract on the 8th day of June, 1860, with the Board of Control, to superintend the construction of a State Prison in that part of the State of Indiana lying north of the National Road, for the erection, furnishing material, and all things connected with the completion of said prison, which said contract is not yet fully completed, but upon which estimates for work done and materials furnished have been made from time to time, and on which estimates we claim there is due us for work and materials, and for reserved percentage, the sum of thirteen thousand five hundred and seventy-four dollars and twenty-seven cents, and in having built railroad tracks, brickyards, and prepared the grounds for the same, and also workshops, and furnished tools, derricks, and other things necessary to carry on the work; and being desirous of settling all matters connected with or growing out of said work, and to surrender said contract, and transfer to the State of Indiana the possession of said prison, and all the tools, conveniences, and rights

upon our part connected therewith, do hereby propose to release the State of Indiana from all claim upon our part under said contract, to transfer and deliver to said State all the rights, privileges, conveniences, and property of every description claimed or used by us in carrying on said contract, and to surrender the possession of the said work, grounds, privileges, conveniences, and property, to the said State, or her agent, upon condition that the State, through the present General Assembly, shall appropriate or cause to be paid the amount of balance due on estimates and for reserved percentage, amounting, in the aggregate, to the sum of thirteen thousand five hundred and seventy-four dollars and twenty-seven cents, and the further sum of five thousand two hundred and ninety-eight dollars and fifty cents; and we further propose to enter upon said contract a full release and discharge of the State of Indiana from any and all claims, whether legal or equitable. The above proposition is not intended to include horses, wagons, and buggies or harness, or the brick not estimated to us.

Respectfully submitted,

TALBOTT & COSTIGAN,

Contractors.

March 7, 1861.

Which, on motion, was laid upon the table.

On motion,
The order of business was suspended, and

Mr. Mellett offered the following resolution :

Be it resolved by the General Assembly of the State of Indiana,
That the contract entered into on the 8th day of June, 1860, by and between the Board of Control to superintend the construction of a State Prison in that part of the State of Indiana lying north of the National Road of the first part, and Washington H. Talbott and Francis Costigan, partners under the name and style of W. H. Talbott & Co., of the second part, for the performance of certain work in the construction of a State Prison at Michigan City, in said State, located on lands owned by said State of Indiana, was fraudulently obtained, made and entered into; the same is therefore hereby rescinded, and declared to be null and void.

Which,

On motion by Mr. Wagner,
Was laid upon the table.

The order of business being suspended,
Mr. Wagner offered the following resolution :

Resolved, That the Senate will, (the House concurring,) accept the proposition made to the General Assembly by William H. Talbott and F. Costigan, contractors for the building of the Northern prison, located at Michigan City, to surrender their contract; and hereby direct the Committee on Finance to make provision in the appropriation bill for the sum named in said proposition, and upon the cancellation and surrender of the contract by the contractors, the Auditor of State is hereby directed to deliver to the said contractors their bond filed by them for the proper performance of said contract, and shall issue to them his warrant upon the Treasurer of State for the sum named in said proposition.

Which was laid upon the table.

On motion by Mr. Newcomb,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

Message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate House No. 243 for their signatures.

The President and Secretary signed the bill.

REPORTS FROM STANDING COMMITTEES.

Mr. Mellett, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 129, a bill to amend section 178 of the act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, duties and liabilities of officers connected with the management there-

of, and the heirs thereto, and certain forms to be used in such settlement," approved January 17, 1852; have had the same under consideration, and have directed me to report the same back and recommend its passage.

The report was concurred in, and the bill passed to a third reading on to-morrow.

Mr. DeHart, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate bill No. 176, being a bill to regulate the granting of reprieves, commutations and pardons, have had the same under consideration, and have directed me to report the same back to the Senate, with the recommendation that it lie upon the table.

The report was concurred in, and the bill was laid upon the table.

Mr. March, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate bill No. 273, a bill to authorize the redemption of lands in certain cases, when sold on execution; have had the same under consideration, and directed me to report the same back, and recommend its passage.

The report was concurred in, the bill ordered to be engrossed and read a third time on to-morrow.

Message from the Governor by Mr. Holloway, his private secretary,

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 107, an act for the relief of the heirs of Michael O'Brien, deceased; and has caused the same to be filed in the office of the Secretary of State.

On motion by Mr. Anthony,
The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following concurrent resolution, to-wit :

Resolved, That the House will, the Senate concurring, go into joint convention this day at 2 o'clock, for the purpose of electing three directors for the Northern State Prison, and one director for the Southern State Prison, by viva voce vote.

In which the concurrence of the Senate is respectfully requested.

Which was concurred in by the Senate.

On motion by Mr. Newcomb,
A call of the Senate was ordered.

The Secretary proceeded with the call.

The following Senators answered to their names :

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Carnahan, Cobb, Conley, Craven, Cravens, Culver, DeDart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Stone, Studabaker, Tarkington, Turner, White, Williams, Wilson and Wolfe—38.

On motion by Mr. Turner,
A further call of the Senate was dispensed with.

Mr. Culver, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred House bill No. 76, an act to amend an act authorizing county recorders and county surveyors to issue fee bills, approved March 5, 1855, the change proposed by this bill will allow the officers to issue fee bills for their predecessors in office, particularizing the items. The Committee deem the proposed change as important, and recommend the passage of the bill.

The report was concurred in, and the bill was passed to a third reading on to-morrow.

Mr. Odell, from a Select Committee, made the following report :

MR. PRESIDENT:

The Select Committee, to whom was referred Senate bill No. 89, a bill to establish probate courts in the several counties in this State, and defining the jurisdiction and duties of, and providing compensa-

tion for the judges thereof, have had the same under consideration, and have directed me to report the bill back, without amendment, and recommend its passage.

The report was concurred in, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Miller, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred House bill No. 263, being a bill to amend section seventeen of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, &c., approved March 5, 1859, have had the same under consideration, and have directed me to report the same back, and to recommend that it lie on the table,

Which was concurred in.

Mr. Newcomb, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred Senate bill, No. 145, entitled a bill for the incorporation of companies for agricultural, horticultural and nursery purposes, have had the same under consideration, and have directed me to report the same back, with certain amendments, and, when so amended, to recommend its passage.

Amend section five, by adding thereto, the following words: "Provided, that the capital stock of such company shall not exceed fifty thousand dollars.

Also the following: "Such corporation shall not hold real estate exceeding five hundred acres."

The report was concurred in, the amendments adopted, and the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Berry, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared the enrolled with the engrossed copy of Senate bill No. 107, a bill for the relief of the heirs of Michael O'Brien, deceased, and find the same correctly enrolled.

Mr. Claypool, from the Committee on Finance, made the following report:

S. J.—54.

MR. PRESIDENT :

The Committee on Finance, to which was referred Senate bill No. 69, entitled an act to regulate the business transacted in this State by any fire, marine, life, health or live stock insurance companies not incorporated under the laws of this State, have had the same under consideration, and have instructed me to report the same back, with the accompanying amendment, and when so amended, to recommend its passage.

Amend by striking out the bill after the enacting clause, and insert the following:

Every person who shall undertake to act as an insurance agent for any company not incorporated under the laws of this State, shall first deposit with the recorder of the county in which he proposes to establish his agency, an authenticated copy of a resolution or order of the board of directors of such company authorizing any citizen or resident of Indiana, having a claim growing out of a contract of insurance made with such company in this State, through its agent or otherwise, to sue for the same in any court of this State, and consenting that service of process on such agent shall have the same force and effect as if served upon the president and directors of such company, and he shall also file an authentic copy of his commission or power of attorney under which he claims to act, as such agent. Any person who shall act as the agent of any insurance company not incorporated under the laws of this State, without having first complied with the provisions of the preceding section, shall, on conviction thereof, be fined in any sum not less than ten dollars nor more than one hundred dollars, but any contract made by such agent for his principal, without having complied with the provisions of the first section of this act, shall nevertheless be valid as against such insurance company.

The report was concurred in, and the amendments adopted.

Mr. Claypool moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to, and the bill was read a third time.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Bearss, Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Stone, Studabaker, Tarkington, Turner, White, Williams, Wilson, and Wolfe

Those who voted in the negative were,

Messrs. Anthony, Landers, and Shields—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Claypool,

The title was amended by adding, "And imposing penalties for the non-compliance with the provisions of this act.

Mr. Anthony offered the following joint resolution :

Joint resolution No. 16. Authorizing the State Librarian to make and publish a catalogue of the Indiana State Library for the years 1861 and 1862, and to procure the necessary book binding for the State Library.

Which was read.

The question being, shall the joint resolution pass,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Berry, Claypool, Craven, Culver, Dickinson, Grubb, Hull, March, Murray, Odell, Turner, and Williams—14.

Those who voted in the negative were,

Messrs. Beeson, Blair, Campbell, Carnahan, Cobb, Conley, Cravens, DeHart, Ferguson, Johnston, Jones, Landers, Line, Lomax, Mellett, Newcomb, Ray, Robinson, Shields, Shoemaker, Stone, Studabaker, Tarkington, Teegarden, White, Wilson, and Wolfe—27.

So the joint resolution failed.

On motion by Mr. Anthony,

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House is now ready to go into the election of one director of the Southern State Prison, and three Commissioners for the Northern State Prison, and that seats are now provided for them on the right hand of the Speaker's desk.

Which was concurred in, and the Senate, preceded by the President, repaired to the hall of the House of Representatives.

The President of the Senate took the chair.

Upon the calling the Joint Convention to order, the President of the Senate announced that the business before the Joint Convention would be the election of three directors for the Northern State Prison, and one director for the Southern State Prison.

The Joint Convention then proceeded to elect one director for the Southern State Prison to serve for the term of two years.

Mr. Gresham, of the House, nominated John W. Ray, of Clark county.

Mr. Heffren nominated Andrew S. Caruthers, of Clark county.

Those who voted for John W. Ray were

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Steele, Stone, Turner, Wagner, and White of the Senate—25.

Messrs. Anderson, Bingham, Boydston, Branham, Brett, Brucker, Bryan, Bundy, Burgess, Cameron, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Ford, Fordyce, Fraley, Frasier, Goar, Gresham, Grover, Hall, Harvey, Haworth, Hendricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Ragan, Randall, Sherman, Sloan, Smith of Miami, Thompson, Turner, Underwood, Veatch, Woodhull, Woods, and Mr. Speaker of the House of Representatives—56.

Total number of votes for John W. Ray.....81

Those who voted for Andrew S. Caruthers were

Messrs. Carnahan, and O'Brien of the Senate—2.

Messrs. Dobbins, Heffren, Owens, Polk and Prow of the House of Representatives—5.

Total number of votes for Andrew S. Caruthers.....7.

Senator Studabaker voting for John Smith—1.

Mr. Jenkinson of the House voting for Mr. Jones—1.

Mr. Moss voting for Dayton Topping—1.

Mr. Prosser voting for Robert Anderson—1.

Mr. Roberts voting for Cyrus M. Allen—1.

Total number of votes given.....103

Necessary to a choice..... 52

John W. Ray having received a majority of all the votes given, was thereupon declared, by the President of the Senate, duly elected director of the Southern State Prison, to serve as such for the term of two years.

The Joint Convention then proceeded to elect three directors for the Northern State Prison.

Mr. Boydston nominated William Williams for director of Northern State Prison.

Senator Slack nominated William A. Jennings for director of the Northern State Prison.

Those who voted for William Williams were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Turner, Wagner, and White of the Senate—26.

Messrs. Anderson, Bingham, Boydston, Branham, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Gore, Gresham, Grover, Hall, Harvey, Haworth, Henricks, Hopkins, Hudson Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Parrett, Ragan, Randall, Sherman, Sloan, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Williams, Woodhull, Woods, and Mr. Speaker of the House of Representatives—58.

Total number of votes given for William Williams84

Those who voted for William A. Jennings were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Landers, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Slack, Studabaker, Tarkington, Williams, Wilson and Wolfe, of the Senate—18.

Messrs. Black, Brett, Collins of Adams, Combs, Coopridger, Davis, Dobbins, Ford, Gifford, Hayes, Heffren, Horton, Kitchen, Knowlton, Lods, McClurg, McLean, Moss, Packard, Pitts, Polk, Prosser, Prow, Robbins, Roberts, Stevenson, Stotsenburg and Trier, of the House of Representatives—28.

Total number of votes cast for William A. Jennings..... 46

Total number of votes given..... 130

Necessary to a choice..... 66

William Williams, having received a majority of all the votes cast, was thereupon declared, by the President of the Senate, duly elected a director of the Northern State Prison for the term of two years.

Mr. Orr nominated Milton S. Robinson for director of the State Prison North.

Mr. Conley nominated C. W. McDaniel.

Tho who voted for Milton S. Robinson were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Turner, Wagner and White, of the Senate—26.

Messrs. Anderson, Bingham, Boydston, Branham, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, Fordyce, Fraley, Frasier, Goar, Gresham, Grover, Hall, Harvey, Hawthorth, Henricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lightner, Moody, Moorman, Nebeker, Newman, Orr, Parrett, Ragan, Randall, Sherman, Sloan, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Williams, Woodhull, Woods and Mr. Speaker, of the House of Representatives—58.

Total number of votes given for M. S. Robinson..... 84

Those who voted for C. W. McDaniels were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Landers, Line, Lomax, Odell, Ray, Shoemaker, Slack, Tarkington, Williams, Wilson and Wolfe—17.

Messrs. Atkinson, Black, Brett, Collins of Adams, Combs, Coop-
rider, Davis, Dobbins, Fleming, Ford, Gifford, Hayes, Horton, Kitchen, Knowlton, Lods, McClurg, McLean, Moss, Mutz, Packard, Pitts, Polk, Prosser, Prow, Robbins, Roberts, Stevenson, Stotsenburg, Trier and Warrum of the House of Representatives—31.

Total number of votes given for C. W. McDaniels..... 48

Scattering..... 4

Total number of votes given..... 136

Necessary to a choice..... 69

Milton S. Robinson, having received a majority of all the votes cast, was thereupon declared, by the President of the Senate, duly elected a director of the Northern State Prison, for the term of two years.

Mr. Conner, of the Senate, nominated Hugh Hanna, of Wabash county, for director of the Northern State Prison.

Mr. Dobbins, of the House, nominated Basil Edmundson, of Du-bois county.

Those who voted for Hugh Hanna were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Turner, Wagner and White, of the Senate—26.

Messrs. Anderson, Bingham, Boydston, Branham, Brucker, Bryan, Bundy, Burgess, Cameron, Campbell, Cason, Collins of Whitley, Crain, Dashiell, Epperson, Erwin, Feagler, Ferguson, Fisher, For-dyce, Fraley, Frasier, Goar, Gresham, Grover, Hall, Harvey, Ha-worth, Henricks, Hopkins, Hudson, Hurd, Jones of Tippecanoe, Jones of Vermillion, Jones of Wayne, Kendrick, Lane, Lightner, Moody, Moorman, Nebeker, Orr, Parrett, Ragan, Randall, Sherman, Sloan, Smith of Miami, Thomas, Thompson, Turner, Underwood, Veatch, Williams, Woodhull, Woods and Mr. Speaker, of the House of Repre-sentatives—58.

Total number of votes for Hugh Hanna	84
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Those who voted for Basil Edmundson were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Landers, Line, Lomax, O'Brien, Odell, Ray, Slack, Studabaker, Wil-liams and Wolfe, of the Senate—16.

Messrs. Atkinson, Black, Brett, Collins, of Adams, Combs, Coop-ri-der, Dobbins, Fleming, Ford, Gifford, Hayes, Kitchen, Knowlton, Lods, McClurg, McLean, Moss, Packard, Pitts, Polk, Robbins, Ro-berts, Stevenson, Stotsenburg, Trier and Warrum, of the House of Representatives—26.

Total number of votes given Basil Edmundson.....	42
Scattering.	6

Total number of votes given.....	132
Necesssary to a choice.....	67

Hugh Hanna, having received a majority of all the votes given,

was thereupon declared, by the President of the Senate, duly elected a director of the Northern State Prison, for the term of two years.

The President of the Senate, having declared that the business for which the Joint Convention had convened was accomplished, and declared the Joint Convention dissolved,

The Senate then returned to its chamber.

On motion by Mr. Wagner,
House bill No. 283. A bill to provide for the payment of interest on the State debt, due January 1, 1861.

Was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—43.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Wagner,
The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill thereof, to-wit :

House bill No. 346. A bill in relation to applying certain funds therein named to the payment of the public debt, and raising a revenue for the support of common schools, and to repeal all laws in conflict therewith.

In which the concurrence of the Senate is respectfully requested.

House bill No. 346, contained in the foregoing message, was read a first time.

Mr. Wagner moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—46.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second time by its title.

Mr. Newcomb moved to amend the bill by striking out "five," where it occurs, and inserting "two."

The ayes and noes being demanded by Senators Line and Hamilton,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Murray, Newcomb, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams and Wilson—36.

Those who voted in the negative were,

Messrs. Anthony, Cravens, Culver, Lomax, Miller, O'Brien, Odell, Shields, Wagner and Wolfe—10.

So the amendment was adopted, and, on motion, the bill was referred to the Committee on Finance.

Senate bill No. 87. A bill for the relief of sundry citizens of Jackson and Washington counties,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Conley, Conner, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, O'Brien, Ray, Shields, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—31.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Craven, DeHart, Lomax, Newcomb, Odell, Steele, and Stone—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 54. A bill regulating docket fees of district attorneys in the Courts of Common Pleas and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecutions on forfeited recognizances,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Claypool, Cobb, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Wagner, White, Williams, and Wilson—33.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Carnahan, Conley, Johnston, Jones, Landers, Lomax, Shields, Shoemaker, Slack, Teegarden, Turner, and Wolfe—14.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Steele, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred House bill No. 62, "a bill to authorize the Bank of the State of Indiana to lay off and establish five additional bank districts, and to locate and establish branches therein," have had the same under consideration, and not being able to agree, have authorized me to return the bill and amendment to the Senate for their action.

Mr. Mellett moved that the bill and pending amendments be indefinitely postponed.

Mr. Conner moved to lay the motion upon the table.

The ayes and noes being demanded by Senators Conner and Steele,

Those who voted in the affirmative were,

Messrs. Anthony, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Hamilton, Hull, Johnston, Miller, Newcomb, O'Brien, Odell, Robinson, Steele, Tarkington, Wagner, White, and Wilson—22.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Carnahan, Cobb, Conley, Craven, Dickinson, Ferguson, Grubb, Jones, Landers, Line, Lomax, March, Mellett, Murray, Ray, Shields, Shoemaker, Slack, Stone, Studabaker, Teegarden, Turner, Williams, and Wolfe—26.

So the motion to lay upon the table did not prevail.

The question recurring upon the motion to indefinitely postpone the bill and pending amendment,

The ayes and noes being demanded by Senators Murray and Steele,

Those who voted in the affirmative were,

Messrs. Beeson, Carnahan, Cobb, Conley, Cravens, Dickinson, Jones, Landers, Line, Lomax, March, Mellett, Murray, Ray, Shields, Slack, Stone, Studabaker, Teegarden, Turner, Williams, and Wolfe—22.

Those who voted in the negative were,

Messrs. Anthony, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Hamilton, Hull, Johnston, Miller, Newcomb,

O'Brien, Odell, Robinson, Steele, Tarkington, Wagner, White, and Wilson—22.

So the motion to indefinitely postpone did not prevail.

Mr. March moved to lay the bill and pending amendment upon the table.

The ayes and noes being demanded by Senators March and Slack,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Carnahan, Cobb, Conley, Craven, DeHart, Dickinson, Ferguson, Grubb, Hull, Landers, Line, Lomax, March, Mellett, Murray, Ray, Shields, Slack, Stone, Studabaker, Teegarden, Williams, and Wolfe—25.

Those who voted in the negative were,

Messrs. Anthony, Berry, Blair, Campbell, Claypool, Conner, Cravens, Hamilton, Johnston, Jones, Miller, Newcomb, O'Brien, Odell, Robinson, Steele, Tarkington, Turner, Wagner, White, and Wilson—22.

So the bill and pending amendment were laid on the table.

Senate bill No. 1. A bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State,

Was read a third time.

Mr. Wagner moved that the bill be indefinitely postponed.

The ayes and noes being demanded by Senators Craven and March,

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Culver, Hamilton, Hull, Johnston, Jones, Landers, Lomax, Miller, Odell, Ray, Shoemaker, Steele, Tarkington, Teegarden, Wagner, Williams, and Wilson—25.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Cobb, Craven, Dickinson, Ferguson, Grubb, Line, March, Mellett, Murray, Robinson, Shields, Slack, Stone, Studabaker, Turner, White, and Wolfe—19.

So the bill was indefinitely postponed.

Mr. Wagner, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 336, bill making appropriations to the officers of State for 1861 and 1862, have had the same under consideration, and direct me to report the same back to the Senate, and recommend the following amendments, to-wit:

Add to section 8, "And fourteen thousand dollars for the current expenses and salaries of officers of the State Prison South, and for the current expenses and salaries of officers of the State Prison North, the sum of fifteen thousand dollars.

Amend section — by filling the blank with fifteen thousand dollars.

Add to section two. That the sum of twelve hundred dollars be allowed for furniture for the Governor's house.

Amend further in section —, by increasing the contingent fund for the years 1861 and 1862 to five thousand dollars,

And when so amended they recommend its passage.

Mr. Teegarden moved to concur in the report, with the following amendment:

That there be appropriated fifty thousand dollars for the purpose of purchasing materials to prosecute the work on the Northern State Prison for the years 1861 and 1862.

Mr. Johnston moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Conley and Johnston,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Claypool, Cobb, Conley, Conner, Craven, Cravens, Dickinson, Grubb, Hamilton, Johnston, Jones, Lomax, March, Mellett, Odell, Ray, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Tarkington, Wagner, Wilson and Wolfe—30.

Those who voted in the negative were,

Messrs. Anthony, Campbell, Carnahan, Culver, Ferguson, Hull,

Landers, Line, Miller, Murray, Newcomb, Studabaker, Teegarden, Turner, White, and Williams—16.

So the amendment was laid on the table.

Mr. Teegarden moved the following amendment:

That the sum of one thousand dollars be appropriated for the purpose of procuring wrought iron bedsteads for the use of the Hospital for the Insane, for the year 1861,

Which was unanimously agreed to.

The question recurring on concurring in the report,

The report was concurred in, and the amendment adopted, and

On motion by Mr. Wagner,

The bill was then read a third time.

Mr. Bearss moved to recommit the bill, with the following instructions:

Strike out from the bill \$15,000, where it occurs for the Northern State Prison, and insert \$10,000.

Mr. Landers offered the following additional instructions:

Strike out all that relates to appropriating money to furnish the Governor's house.

Mr. Turner moved to lay the motion to recommit on the table.

The ayes and noes being demanded by Senators Johnston and Bearss,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Conley, Conner, Dickinson, Grubb, Hull, Line, Miller, Murray, Newcomb, Odell, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Williams—25.

Those who voted in the negative were,

Messrs. Bearss, Craven, DeHart, Hamilton, Johnston, Landers, Lomax, March, Mellett, Ray, Robinson, Shields, Shoemaker, and Wolfe—14.

So the motion to recommit, with instructions, was laid upon the table.

Mr. Wagner moved the previous question,
Which was seconded by the Senate.

So the main question was ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hull, Line, March, Miller, Murray, Newcomb, Odell, Steele, Stone, Studabaker, Teegarden, Turner, Wagner, White, and Williams—29.

Those who voted in the negative were,

Messrs. Bearss, Hamilton, Johnston, Landers, Lomax, Mellett, Ray, Robinson, Shields, Shoemaker, Tarkington, and Wolfe—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Berry, Chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills, to which was referred Senate bill No. 115, a bill to amend the second and fifth sections of an act entitled an act to authorize the Commissioners of the Sinking Fund to receive substitutions of stock mortgages, and for other purposes, approved January 20, 1847, and containing some provisions respecting the reinstating of mortgages given for loans made from the Sinking Fund, or any fund loaned by the Auditor and Treasurer of State, and sales made on account of any of said funds, and respecting the collection and safety and control of said funds, the time and place and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith, and to authorize the conversion of Indiana stocks into bank bonds, and requiring the Commissioners to account for the interest on deposits of the income of the fund and making the same part thereof, have had the same under consideration, and have com-

pared the engrossed with the enrolled copy, and find that it is correctly enrolled.

On motion by Mr. Wagner,
The Senate took a recess until 7½ o'clock, P. M.

7½ O'CLOCK, P. M.

The Senate met.

On motion by Mr. Turner,

The following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

House bill No. 294. A bill to provide for the necessary Judicial proceedings to procure the removal of the feeder dam erected across the Calumet river, in the State of Illinois, and for the payment of the expenses of such proceedings,

In which the concurrence of the Senate is respectfully requested.

House bill No. 294, contained in the foregoing message,
Was read a first time.

Mr. Anthony moved that the rules be suspended, and that the bill be read a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Landers, Line, Lomax, March, Mellett, Murray, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, and Williams—34.

Senators Studabaker and Wolfe voting in the negative.

So the rules were suspended, and the bill was read a second time by its title, and passed to a third reading on to-morrow.

Senate bill No. 64, a bill authorizing aliens to hold lands in the State of Indiana, by purchase or otherwise,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Murray, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White and Wolfe—36.

Senator Williams voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Ferguson,

The following message from the House was taken up :

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill thereof:

House bill No. 326. A bill to revise an act entitled "an act to legalize the doings and proceedings of the Alton, Mount Carmel and New Albany Railroad Company, and for other purposes, approved February 4, 1851, extending the time for the commencement and completion of said railroad, changing the name thereof, with some general provisions in regard to the corporate powers thereof, and declaring an emergency for the immediate taking effect of this act.

House bill No. 326, contained in the foregoing message,
Was read a first time.

Mr. Ferguson moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Cobb, Conner,
S. J.—55.

Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Murray, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wolfe—36.

Senator Newcomb voting in the negative.

So the rules were suspended, the bill read a second time by its title, and referred to the Committee on Corporations.

House bill No. 42. A bill to authorize the Gibson County Circuit Court, to hear testimony, and make a decree in reference to the erection and sale of the county seminary of said county.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Miller, Murray, Shields, Shoemaker, Slack, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, and Wolfe—26.

Those who voted in the negative were, -

Messrs. Anthony, Bearss, Beeson, Berry, Conner, Ferguson, Newcomb, Odell, Robinson, and Steele—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 194. A bill empowering the several boards of county commissioners of the several counties of this State to employ any competent person or persons to investigate the books, vouchers, accounts, and settlements of the several county auditors and county treasurers of the State,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Campbell, Cobb, Conner, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, March, Miller, Murray, Newcomb, Odell, Ray,

Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, and Wolfe—34.

Those who voted in the negative were,

Messrs. Blair, Carnahan, Line, and White—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 186. A bill to authorize the board of commissioners to purchase toll bridges, or any private interest therein,

Was read a second time, and passed to a third reading on to-morrow.

Senate bill No. 278. A bill making an appropriation for carrying on the work on the Northern State Prison, and providing the manner of completing the same, and prescribing the powers and duties of the board of directors in relation thereto,

Was read a second time, and referred to the Committee on Finance.

Mr. Wagner, Chairman of the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 346, an act in relation to applying certain funds therein named to the payment of the public debt, and raising a revenue for the support of common schools, and to repeal all laws in conflict therewith, have had the same under consideration, and have directed me to report the said bill back to the Senate; that it be amended by striking out the word "five" in the eleventh line of the first section, and insert "two" in lieu thereof, and when so amended recommend its passage.

The report was concurred in and the amendment adopted.

The rules having been suspended,

On motion by Mr. Wagner,

Senate bill No. 346, contained in the foregoing report,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Williams—30.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Ferguson, Johnston, Landers, Line, Lomax, Ray, Shoemaker, Slack, and Wolfe—11.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

Senate bill No. 249. A bill to amend the first section of "an act to amend the first section of an act concerning licenses to vend foreign merchandize, to exhibit any caravan, menagerie, circus, rope, and wire dancing, puppet show, and legerdemain," approved June 15, 1852, and for the encouragement of agriculture, and concerning the license of stock and exchange brokers, approved March 7, 1857,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Shields, Shoemaker, Steele, Studabaker, Teegarden, Turner, White and Wolfe—37.

Those who voted in the negative were,

Messrs. Ray, Slack, Stone and Tarkington—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Newcomb,

The Senate took up the following message from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed engrossed bill of the House, namely:

House bill No. 133. An act in relation to witnesses, and to repeal section 238 of article 13, of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852; and to repeal all laws inconsistent therewith, and providing when the same shall take effect and be in force.

In which the concurrence of the Senate is respectfully requested.

House bill No. 133, contained in the foregoing message, was read a first time.

Mr. Newcomb moved that the rules be suspended, and the bill read a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Cobb, Craven, Cravens, Culver, DeHart, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Shoemaker, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White and Williams—35.

Those who voted in the negative were,

Messrs. Carnahan, Conner, Dickinson, Lomax, Ray, Studabaker and Wolfe—7.

So the rules were suspended, and the bill was read a second time by its title, and referred to the Committee on the Judiciary.

On motion by Mr. Wagner,

The Senate took up the communication of Messrs. Talbott & Co., in relation to the surrender of their contract on the Northern State Prison.

Mr. Bearss moved to refer the communication to the Committee on State Prisons.

Mr. Murray moved to lay the motion upon the table.
Which was agreed to.

On motion,
The communication was referred to the Committee on Finance.

On motion,
The resolution offered by Mr. Mellett in relation to the contractors on the Northern State Prison, was taken up, and also referred to the Committee on Finance.

On motion,
The concurrent resolution offered by Mr. Wagner respecting the acceptance of the proposition tendered by Messrs. Talbott & Co., which had been laid upon the table, was taken up and referred also to the Committee on Finance.

House bill No. 103. A bill to provide for the erection and repair of any bridge across a stream forming the boundary line between two counties, and to repeal section 7 of an act approved March, 3, 1855, entitled "An act to provide for the erection and repair of bridges," and to repeal an act entitled "An act to provide for the erection and repair of bridges," approved May 12, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, Odell, Robinson, Shoemaker, Slack, Steele, Stone, Teegarden, Turner, White and Wolfe—35.

Those who voted in the negative were,

Messrs. Miller, Ray, Wagner and Williams—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 218. A bill to amend the first section of an act entitled "An act to enable trustees to receive lands and donations, and convey the same for the use of schools, churches, religious societies, Masonic and Odd Fellows' lodges, Sons and Daughters of Temper-

ance, and for the construction of cemeteries, houses of worship, or other building therein named." Approved June 11, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Landers, March, Miller, Murray, Newcomb, Odell, Ray, Shoemaker, Slack, Steele, Stone, Studabaker, Teegarden, Turner, Wagner and White—30.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Johnston, Line, Lomax, Tarkington, Williams and Wolfe—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Johnston offered the following resolution :

Resolved, That the Judiciary Committee be instructed to report to the Senate instanter House bill No. 46. A bill to legalize the acts and proceedings of certain special terms of the Circuit Court.

Which was not agreed to.

Senate bill No. 120. A bill supplemental to an act entitled "An act to repeal all general laws now in force for the incorporation of cities, to prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto." Approved March 9, 1857.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conner, Craven, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, March, Mellett, Murray, Newcomb, Odell, Ray, Robinson, Slack, Steele, Stone, Studabaker, Teegarden, Turner and Wagner—30.

Those who voted in the negative were,

Messrs. Culver, Ferguson, Johnston, Landers, Lomax, Shields, Shoemaker, White, Williams and Wolfe—10.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Blair, from the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to which was referred Senate bill No. 248, a bill to amend the third and fourth sections of an act fixing the time and mode of electing State Printer, defining his duties, fixing compensation, and repealing all laws in conflict with this act, passed March —, 1859; requiring State Printer to furnish all stationery necessary for the State printing, allowing him the current wholesale price therefor, at the time of furnishing the same, and requiring him to furnish quarterly, to the Secretary of State, a specific statement, verified by affidavit, of the quality and price of all stationery so furnished, and all work done by him for the State; have had the same under consideration, and have directed me to report the same back, without amendment, and recommend its passage.

The report was concurred in.

Mr. Blair moved that the bill be considered as engrossed, and read a third time now.

Which was agreed to, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams and Wolfe—34.

Those who voted in the negative were,

Messrs. Carnahan, Johnston, Landers, Shields, Shoemaker and Studabaker—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Blair,
The title was amended by putting the word "quantity" after the word "quality."

Senate bill No. 100. A bill to create the fourteenth judicial circuit,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Carnahan, Cobb, Ferguson, Grubb, Landers, Odell, Shoemaker, Slack, Steele, Studabaker, Tarkington, Teegarden, Turner, Williams and Wolfe—15.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Robinson, Shields, Stone and Wagner—24.

So the bill did not pass.

Senate bill No. 172. A bill providing for the binding of printed matter, ordered by the State, in book form.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Cobb, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Teegarden, Turner, Wagner and Wolfe—36.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 237. A bill to authorize the process of garnishment against clerks of the Circuit and Common Pleas Courts, sheriffs, justices

of the peace, constables, and all other officers who collect money by virtue of their office, and executors, administrators, guardians and trustees, and providing for the indemnification of such officers and persons.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner and Wolfe—35.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 184. A bill conferring jurisdiction upon justices of the peace in certain cases, where executors, administrators or guardians are plaintiffs.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Cobb, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Landers, Lomax, March, Mellett, Miller, Murray, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner and Wagner—33.

Mr. Newcomb voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Wolfe moved that the Senate do now adjourn,
Which was not agreed to.

On motion by Mr. Line,
The Senate adjourned.

FRIDAY MORNING, 9 o'clock, }
 March 8, 1861. }

The Senate met.

Mr. Beeson moved to suspend the reading of the Journal.

At the request of Mr. Williams, sundry portions of the Journal were read.

The question recurring upon the motion to suspend the further reading of the Journal.

Mr. Slack rose to a question of order as to the power of the Senate to dispense with the reading of the Journal, except by unanimous consent.

The chair decided that the Senate had the power.

Messrs. Slack and Cobb appealed from the decision of the chair in the following words, to-wit:

A motion was made by Senator Beeson, of Wayne county, to dispense with reading the Journal of yesterday, whereupon Senator Slack rose to a question of privilege, and insisted that the Journal should be read, that it was not in the power of the Senate to preclude the reading of the Journal, except by unanimous consent, upon which motion the President of the Senate ruled that the reading of the Journal was in the power of a majority of the Senate as any other question, from which decision of the chair the undersigned appeal, and ask the judgment of the Senate thereon.

J. R. SLACK,

Senator from Huntington and Whitley.

THOS. R. COBB,

Senator from Lawrence.

Mr. Murray moved to lay the appeal upon the table.

The ayes and noes being demanded by Senators Slack and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Claypool, Con-

ner, Craven, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Johnston, Line, O'Brien, Odell, Ray, Shields, Slack, Studabaker, and Tarkington—13.

So the appeal was laid upon the table.

Mr. Wolfe moved to reconsider the vote on House bill No. 103.

Mr. Robinson moved to lay the motion to reconsider upon the table.

The ayes and noes being demanded by Senators Wolfe and Slack,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, Line, March, Mellett, Murray, Odell, Robinson, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Hamilton, Johnston, Miller, Newcomb, O'Brien, Ray, Shields, Slack, Studabaker, Tarkington, Williams, Wilson, and Wolfe—15.

So the motion to reconsider was laid on the table.

Mr. Ray moved to suspend the order of business for the purpose of introducing a resolution.

Mr. Anthony moved to lay the motion upon the table.

The ayes and noes being demanded by Senators Ray and Cobb,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Turner, Wagner, and White—25.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Hamilton, Johnston, Line, O'Brien, Odell, Ray, Shields, Slack, Tarkington, Williams, Wilson and Wolfe—16.

So the motion to suspend the order of business was laid upon the table.

On motion by Mr. Newcomb,

The order of business was suspended, and

Mr. Newcomb introduced

Senate joint resolution, No. 18. A joint resolution ratifying an amendment proposed by Congress to the Constitution of the United States,

Which was read, and under the rule, referred to the Committee on Federal Relations.

A message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures, enrolled House bill No. 103.

The President and Secretary signed the bill.

A message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate enrolled House bills Nos. 42 283, for their signatures.

The President and Secretary signed the bill.

Mr. Cravens moved to take from the table House bill No. 62, a bill to authorize the bank of the State of Indiana to lay off and establish five additional Bank districts, and to locate and establish Branches therein, and put it upon its passage.

Mr. Blair moved the previous question.

The ayes and noes being demanded by Senators March and Mellett,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, Ferguson, Hamilton, Hull, Johnston, Miller, Newcomb, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—24.

Those who voted in the negative were,

Messrs. Bearss, Campbell, Carnahan, Cobb, Conley, Craven, DeHart, Dickinson, Landers, Line, Lomax, March, Mellett, Murray, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—22.

So the previous question was not seconded.

Mr. Murray moved to lay the motion "to take the bill from the table, and put it upon its passage," upon the table.

The ayes and noes being demanded by Senators March and Cobb,

Those who voted in the affirmative were,

Messrs. Bearss, Campbell, Carnahan, Cobb, Conley, Craven, Landers, Line, Lomax, March, Mellett, Murray, Ray, Shoemaker, Slack, Stone, Studabaker, and Wolfe—18.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, DeHart, Ferguson, Hamilton, Hull, Johnston, Miller, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wilson—25.

So the motion to take up the bill was not laid upon the table.

The question recurring upon the motion to take up the bill, and put it upon its passage,

Mr. Studabaker demanded a division of the question.

The question recurring upon the motion to take the bill from the table,

The ayes and noes being demanded by Senators Carnahan and March,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Claypool, Conner, Cravens, Culver, Ferguson, Hull, Johnston, Miller, Newcomb, O'Brien, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wilson—25.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, DeHart, Landers, Line, Lomax, March, Mellett, Murray, Ray, Shoemaker, Slack, Stone, Studabaker, and Wolfe—18.

So the bill was taken from the table.

Mr. March moved to take the amendments previously offered to the bill from the table.

Which motion the Chair decided to be out of order.

Mr. March offered the following amendment:

This power granted to the Bank of the State to establish five additional branches, is made upon the express condition that the Bank of the State submit its capital stock and real estate to the same taxation for municipal as the property of individuals.

Mr. Cravens moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators March and Cobb,

Those voting in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, Hamilton, Hull, Johnston, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, and White—21.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Craven, DeHart, Dickinson, Ferguson, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, Wilson, and Wolfe—24.

So the amendment was not laid upon the table.

The question recurring upon the adoption of the amendment offered by Mr. March,

The ayes and noes being demanded by Senators Carnahan and Studabaker,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, DeHart, Dickinson, Ferguson, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, Wilson, and Wolfe—24.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, Hamilton, Johnston, Jones, Miller, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, and White—22.

So the amendment was adopted.

Mr. March offered the following additional amendment:

The directors of the State Bank, after giving thirty days' notice in all the newspapers of the proposed district, shall cause to be opened books for the subscription of stocks at such places within the district aforesaid as they may designate, not less than one in each county in the district, under the direction of three commissioners whom they shall appoint, said books shall be kept open between the hours of nine o'clock, A. M., and three o'clock, P. M., of each day for the space of thirty days. No branch shall be organized until capital stock to the amount of one hundred thousand dollars has been subscribed.

The commissioners shall examine, as to the responsibility of the subscribers for the stock, and report as they find the fact under their signatures to the directors of the bank without delay. If, in closing up the books for the subscription of stock in any district, the stock subscribed be found to exceed the amount allotted such branch, the excess shall first be taken from the subscribers who reside out of the State, then from those who are stockholders, at the time of subscription, in any other branch of the Bank of the State, or who shall have been such stockholders between that time and the first of January, 1861, then from corporations; and should there still be an excess, the same shall be taken in proportion from the subscriptions over five hundred dollars until all are redeemed to that amount, then from all equally until the whole amount shall not exceed one hundred thousand dollars. No person heretofore appointed as commissioner

to organize any of the existing bank districts, or to open books for the subscription of stock therein, shall be qualified to act as commissioner under this act.

The question being, shall the amendment be adopted?

The ayes and noes being demanded, by Senators Murray and Carnahan,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, DeHart, Dickinson, Landers, Line, Lomax, March, Mellett, Murray, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—21.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, Ferguson, Hamilton, Hull, Johnston, Miller, Newcomb, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—25.

So the amendment was not adopted.

Mr. Cravens moved to recommit the bill to a Select Committee of three, with instructions to strike out "municipal tax" and insert "ten per cent. school tax."

Mr. Studabaker moved to lay the motion to recommit upon the table.

The ayes and noes being demanded by Senators Studabaker and Murray,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, DeHart, Ferguson, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Ray, Robinson, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—23.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, Hamilton, Hull, Johnston, Miller, Odell, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, and White—21.

So the motion to recommit was laid upon the table.

S. J.—56.

Mr. Williams offered the following amendment :

Assess a school tax on the capital stock at the same rate that other property is taxed,

Which was decided to be out of order by the chair.

Mr. Cobb offered the following amendment :

Strike out from the enacting clause and insert the following: "That the Bank of the State shall have power to change the location of any three of its branches, to such other point in the State as will more fully supply the business wants of the State. The new districts shall be laid off and the branches organized according to the provisions of the charter of said Bank."

Mr. Conner moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Cobb and Conner,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Ferguson, Hamilton, Hull, Johnston, Miller, Newcomb, Odell, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—25.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, Landers, Line, Lomax, March, Mellett, Murray, O'Brien, Ray, Shields, Slack, Stone, Studabaker, Williams, and Wolfe—19.

So the amendment was laid upon the table.

Mr. Hamilton moved to lay the bill, as amended, upon the table.

Mr. March moved to amend the motion by indefinitely postponing the bill.

The ayes and noes being demanded by Senators Murray and Line,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, Landers, Line, Lomax, March, Mellett, Murray, Ray, Slack, Stone, Studabaker, Williams, and Wolfe—17.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Ferguson, Hamilton, Hull, Johnston, Miller, Newcomb, O'Brien, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—27.

So the motion to indefinitely postpone did not prevail.

Pending the consideration of the motion by Mr. Hamilton to lay the bill on the table.

On motion by Mr. Line,
The Senate adjourned.

2 O'CLOCK, P. M.

The Senate met.

On motion by Mr. Miller,

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit :

Senate bill No. 217. A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and repealing all laws in conflict therewith, with the following engrossed amendments, to which the concurrence of the Senate is respectfully solicited.

Engrossed amendments made by the House to Senate bill No. 217, to-wit :

Amend the title by adding "and repealing all laws inconsistent therewith."

Amend the first section by striking out all between the word "purposes" and the word "provided," and insert "and on all taxable polls such sums as may be required by law."

Also, strike out all after the word "its" in said section, and insert the word "passage."

Amend section three, line seven, by striking out the word "for."

Amend section five, by adding thereto the following: "Provided, that nothing herein contained shall be so construed as to prohibit incorporated cities, and towns from electing more than one trustee for school purposes and the said cities and towns shall have power in accordance with their ordinances or special charters, to direct, in case more than one trustee is elected, which one shall be treasurer for school purposes, and said treasurer shall be governed by all the provisions of this act."

Amend section thirty-five, last line, by striking out all after the word "teach," and insert "and the examiner shall be entitled to a fee of one dollar for each male and fifty cents for each female applicant examined for license to be paid by such applicant."

Amend section forty-six by adding these words, "except as provided in section thirty-five of this act."

Amend section forty-six, tenth line, by inserting "on" after the word "warrant."

Amend section forty-six, third sub-division, by adding after the word "and" the words "unclaimed fees."

Amend section one hundred and twenty-four, by striking out the words in brackets, as follows: "Upon the warrant of the county auditor."

Amend section one hundred and twenty-eight, last line, by adding the word "to" after the word "distributed." Also, by striking out the words "one thousand" and inserting "eight hundred."

Amend section one hundred and forty-one, by striking out all after the word "purposes" and insert "such sum as may be provided by law."

Amend section 134 by striking out the word "boar" and inserting the word board in the last line of said section.

Amend section 137, second line, by adding the words "of the" after "acts."

Amend by striking out sections 139 and 140.

Amend section 143, fifth line, by striking out the letter "s" in the word "treasurers," so as to make it read "treasurer."

Strike out 158 in the number of the section after section 156 and insert 157.

The question being, shall the engrossed amendments of the House be concurred in?

It was agreed to.

House bill No. 81. A bill to quiet the title of a piece of ground in Vanderburgh county, known as out-lot No. 5, according to the plan of out-lots laid out by Robert M. Evans, on the part of the north-west quarter of section twenty-nine of township six south of range ten, west,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the negative were,

Messrs. Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, and Wolfe—39.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 296. A bill to amend section sixteen of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts, returnable to such terms and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Slack, Steele, Stone, Tarkington, Teegarden, Turner, and White—38.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Wagner,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has duly considered the amendment by the Senate to the House bill No. 346, and direct me to inform the Senate that the House has refused its concurrence in the same.

House bill No. 346. An act in relation to applying certain funds therein named to the payment of the public debt, and raising the revenue for the support of common schools, and repeal all laws in conflict therewith,

With the following engrossed amendments thereto:

Strike out "five cents" wherever those words occur in the bill, and insert in the place thereof "two cents."

Mr. Wagner moved that the Senate adhere to its amendment,
Which was agreed to.

Mr. Slack moved that a committee of conference be appointed,
Which was agreed to, and the President appointed Senators Slack, Wagner and Miller said committee of conference.

On motion by Mr. Turner,
The following message from the House was taken up.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution thereof.

In which the concurrence of the Senate is respectfully requested.

A concurrent resolution providing for the appointment of a Joint Select Committee to investigate the frauds upon the swamp land fund.

Be it resolved, the Senate concurring, That a Joint Select Committee of three be appointed, two on the part of the House, and one on the part of the Senate, whose duty it shall be to inquire into the management of the swamp land fund, and to investigate the alleged frauds committed upon such fund; that said committee shall have power to hold their sessions during the vacation, and at the city of Indianapolis, or at the county seats of the several counties in which frauds are alleged to have been committed, as they may deem advisable, and that they have power to send for persons and papers, and to compel the attendance of witnesses, and the production of such

books and papers as they may deem essential to a full investigation of the alleged frauds, and that they have power to attach witnesses as for contempt, and compel their attendance before said committee, and to do all and any thing this House of right might do in said matters, hereby delegating to said committee all the powers this House may possess to said committee for the purposes mentioned.

Be it further resolved, That whenever said committee shall complete the investigation in any county, that they thereupon make report of their proceedings in the premises, and of the testimony to the Governor, and whenever they, after such investigation, shall conclude that a recovery may be had in any instance, that they report such conclusion, together with the facts to the Governor, who shall thereupon direct the Attorney General to bring suit against the parties.

Be it further resolved, That the committee shall have the power to employ a clerk and a messenger, who shall each receive three dollars per day for each day they shall be actually engaged in the discharge of their duties, to be certified by the chairman of said committee.

Mr. Turner moved the previous question.

The ayes and noes being demanded by Senators Cobb and Slack,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, March, Mellett, Miller, Murray, Newcomb, Robinson, Shields, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner and White—32.

Those who voted in the negative were,

Messrs. Carnahan, Cobb, Conley, Ferguson, Line, Lomax, O'Brien, Odell, Ray, Shoemaker, Slack, Williams and Wolfe—13.

So the previous question was seconded, and the main question was ordered.

The question being shall the concurrent resolution be taken up,
It was agreed to.

The question recurring upon the adoption of the concurrent resolution.

Mr. Wagner moved the previous question.

The ayes and noes being demanded by Senators Slack and Jones,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Teegarden, Turner, Wagner and White—29.

Those who voted in the negative were,

Messrs. Cobb, Conley, Ferguson, Johnston, Jones, Line, Lomax, Odell, Ray, Shields, Shoemaker, Slack, Studabaker, Williams, Wilson and Wolfe—16.

So the previous question was seconded, and the main question was ordered.

The question being shall the concurrent resolution be adopted.

The ayes and noes being demanded by Senators Slack and Ray,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, March, Mellett, Miller, Murray, Newcomb, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner and White—29.

Those who voted in the negative were,

Messrs. Cobb, Culver, Ferguson, Line, Lomax, O'Brien, Ray, Shoemaker, Slack, Studabaker, Williams, Wilson and Wolfe—13.

So the concurrent resolution was adopted.

On motion by Mr. March,

Senate bill No. 191. A bill to create the sixteenth judicial circuit for the State of Indiana,
Was taken from the files.

Mr. March moved to recommit the bill to a select committee, with the following instructions:

The county of Hancock is hereby attached to, and shall hereafter form a part of, the thirteenth judicial circuit. The Circuit Court of

said county shall be held at the time, and sit for such period as is prescribed by law.

Which was agreed to, and the President appointed Senators March, Mellett, and Ray said select committee.

On motion by Mr. Cobb,

Mr. Shields was granted leave of absence for the remainder of the session.

House bill No. 328. A bill to amend the fourth section of an act entitled an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, and providing for the return of process to the terms fixed by this act, and declaring when this act shall take effect,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson, and Wolfe—41.

No Senator voting in the negative,

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 100. A bill authorizing township trustees to assign certificates of purchase of saline lands which were purchased with district school funds, by the inhabitants of school districts in congressional townships for school house sites,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, and Wolfe—39.

Those who voted in the negative were,

Messrs. Beeson and Steele—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 324. A bill to repeal all laws now in force establishing the times of holding Circuit Courts in the second judicial circuit, to fix the time of holding said Courts, requiring all persons to take notice thereof, providing for return of process, and declaring when this act shall take effect,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, Wilson, and Wolfe—39.

Senator Lomax voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 82. A bill to amend the seventh section of an act entitled "an act to incorporate the South Bend Manufacturing Company, and to repeal the ninth section of the same," approved June 28, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Teegarden, Turner, Wagner, White, Williams, and Wilson—36.

Senators Jones and Landers voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 135. A bill declaring commission merchants, attorneys at law, and railroad conductors, who shall commit a breach of trust, to be guilty of felony, and defining the punishment therefor, Was read a third time.

Mr. Johnston moved to recommit the bill with the following instructions:

Amend by striking out the words "any other persons."
Which was agreed to.

Mr. Slack, from the Committee on Free Conference, made the following report:

MR. PRESIDENT:

The Committee on Free Conference, to whom was referred House bill No. 346, a bill in relation to applying certain funds therein named to the payment of the public debt, and raising a revenue for the support of common schools, and to repeal all laws in conflict therewith, have met the committee on the part of the House, and have agreed upon the following report:

That the Senate recede from their amendment, and submit the following in lieu thereof:

In the ninth line of the first section, strike out the figures "1862," and insert in lieu thereof "1863;" and insert, in the fifth line of the same section, after "1861," "and 1862."

The report was concurred in.

Mr. Newcomb, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to which was referred House bill No. 133, entitled "A bill in relation to witnesses, and to amend section 238, of article 13, of the act entitled 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,' approved June 18, 1852; and to repeal all laws inconsistent therewith, and providing when this act shall take effect and be in force;" have had the same under consideration, and have directed me to report the same back, without amendment, for the action of the Senate.

The report was concurred in, and House bill No. 133, therein contained, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Conley, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Line, March, Mellett, Murray, Newcomb, O'Brien, Odell, Shoemaker, Stone, Teegarden, Turner, Wagner and Wilson—28.

Those who voted in the negative were,

Messrs. Carnahan, Claypool, Cobb, Conner, Ferguson, Johnston, Landers, Lomax, Miller, Ray, Robinson, Slack, Studabaker, Tarkington, White and Wolfe—16.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

On motion by Mr. Wagner,
The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following engrossed amendments to engrossed House bill No. 336. A bill making general appropriations for the years 1861 and 1862, to-wit:

Add to section 2 the following: "That the sum of twelve hundred dollars be allowed for furniture for the Governor's house.

Amend section — by increasing the contingent fund for the years 1861 and 1862, to five thousand dollars.

Add the following section :

SEC. —. That the sum of one thousand dollars be appropriated for the purpose of procuring wrought iron bedsteads for the use of the Hospital for the Insane for the year 1861.

Add to the section 8 the following: "And fourteen thousand dollars for the current expenses and salaries of officers of the State Prison South.

And have refused to concur in the following engrossed amendment of the Senate to said act, to-wit:

Amend section — by filling the blank with "fifteen thousand dollars."

Add to section 8: "And for current expenses and salaries of officers of the State Prison North the sum of fifteen thousand dollars."

Mr. Wagner moved that the Senate adhere to its amendment, and that a committee of free conference be appointed,

Which was agreed to.

And the President appointed Senators Wagner, Miller and Ray said committee on the part of the Senate.

Senate bill No. 251. A bill to ascertain the amount of fees and salaries of the clerk of the Supreme Court and Common Pleas Courts of this State, of the sheriffs of the Supreme Court, and of the various counties of this State, of county auditors, treasurers and recorders, and to provide a punishment for a violation of its provisions.

Was read a third time.

Mr. March offered the following amendment:

Provided, That the provisions of this act shall not apply to the first quarter of the year 1861.

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Conley, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shields, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wolfe—39.

Those who voted in the negative were,

Messrs. Johnston and Slack—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Message from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House concurs in the amendment of the Committee of Free Conference to House bill No. 346, proposing the following amendments, to-wit: In the ninth line of the first section of the bill, strike out the figures "1862" and insert "1863," and insert in the fifth line of the same section, after the figures "1861," the words and figures "and 1862."

House bill No. 176. A bill to license dogs, and providing for the payment of damages sustained in the maiming and killing of sheep by dogs, declaring unlicensed dogs nuisances, and declaring under what circumstances they may be killed, and prescribing a punishment for killing licensed dogs, and to provide penalties for the violation of any of the provisions of said act by officers and others.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Carnahan, Claypool, Conley, Conner, Culver, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, March, Mellett, Miller, O'Brien, Odell, Robinson, Steele, Stone, Tarkington, Teegarden, Wagner, Williams and Wilson—26.

Those who voted in the negative were,

Messrs. Anthony, Bearss, Berry, Campbell, Cobb, Craven, Line, Lomax, Murray, Ray, Shoemaker, Slack, Studabaker, Turner, White, and Wolfe—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Messages from the House, by Mr. Gordon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

Senate bill No. 114. An act for the relief of borrowers of the Sinking Fund, and to repeal the fourth section, and so much as applies to the Sinking Fund of the whole act, entitled "an act to extend to borrowers of the Sinking Fund, Surplus Revenue Fund, Congressional School Fund, and other Funds, time of payment of loans, and prescribing the duties of the officers in regard thereto, approved March 3, 1859, and prescribing how mortgages may be substituted, and containing some provisions respecting the Sinking Fund, and its control and management, and matters properly connected therewith," Without amendment.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has appointed Messrs. Branham, Prosser and Fisher, a Committee on the part of the House to confer with the similar Committee of the Senate to confer on the following engrossed amendments to House bill No. 336, to-wit:

Add to section eight, "And for current expenses and salaries of officers of the State Prison North, the sum of fifteen thousand dollars," and to fill the blank in section — with the words "fifteen thousand dollars."

Senate bill No. 71. A bill to provide for the incorporation of street railroad companies,
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, Mellett, Miller, Murray, O'Brien, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—31.

Those who voted in the negative were,

Messrs. Anthony, Carnahan, Cobb, Conley, Culver, Lomax, March, and Slack—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

By consent.

Mr. Slack offered the following resolution :

Resolved, That the Chairman of each Committee of the Senate having a clerk employed, the Principal and Assistant Secretary, the Doorkeeper and Assistant Doorkeeper report to the Senate the number and names of clerks and employes they have under their employment respectively, and the number of days they have been each employed, and report the same to the Senate to-morrow morning,
Which was agreed to.

Mr. DeHart made the following motion :

I move to reconsider the vote by which the amendments of the Senator of Delaware were adopted, to House bill No. 62.

Mr. Craven moved to lay the motion on the table.

The ayes and noes being demanded by Senators Mellett and March,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Cobb, Craven, Dickinson, Ferguson, Grubb, Jones, Landers, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Ray, Slack, Stone, Studabaker, Williams, and Wolfe—22.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Hamilton, Hull, Johnston, Miller, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, and White—23.

So the motion to lay on the table did not prevail.

On motion by Mr. March,

A call of the Senate was ordered.

The Secretary proceeded with the call, whereupon,

The following Senators answered to their names :

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, De Hart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shields, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wolfe—47.

On motion by Mr. March,
The absentees were sent for.

On motion,
The further call of the Senate was suspended.

The question being, shall the vote on Senate bill No. 62 be reconsidered?

The ayes and noes being demanded by Senators March and Mellett,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Hamilton, Hull, Johnston, Miller, Odell, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, and White—23.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Dickinson, Ferguson, Jones, Landers, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—21.

Senator Line declining to vote, having paired off with Senator Wilson,

So the motion to reconsider prevailed.

The question recurring upon the adoption of the amendment of Mr. March,

Mr. Wagner moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Mellett and Wagner,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Con-
S. J.—57.

ner, Cravens, Culver, DeHart, Hamilton, Hull, Johnston, Miller, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, and White—23.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, Dickinson, Ferguson, Jones, Landers, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—22.

Senator Line declining to vote, having paired off with Senator Wilson.

So the amendment was laid on the table.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conley, Cravens, Culver, DeHart, Hamilton, Hull, Johnston, Miller, Newcomb, Odell, Robinson, Shields, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—25.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, Ferguson, Grubb, Jones, Landers, Line, Lomax, March, Mellett, Murray, O'Brien, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—22.

So the bill failed.

On motion by Mr. Wagner,

The following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

House bill No. 348. A bill making specific appropriations for the year 1861.

In which the concurrence of the Senate is respectfully requested.

Mr. Wagner moved that the rules be suspended, and that the bill be read a first time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, De Hart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—47.

No Senator voting in the negative.

So the rules were suspended, and the bill read a first time by its title.

The rules being suspended,

On motion by Mr. Wagner,

The bill was read a second time by its title, and referred to the Committee on Finance.

By consent,
Mr. Conley offered the following resolution:

Resolved, That the Doorkeeper be instructed to report to the Senate what amount of money he has expended in the purchase of necessary articles for the use of the Senate; also the kind of articles so purchased, and their value; and when the present session of the Legislature closes, that he be instructed to deliver such articles to the State Librarian, and take his receipt for the same; and when said articles shall be delivered to said Librarian, it shall be his duty to take charge of them, and at the next meeting of the Legislature to deliver all such articles to the Doorkeeper for the use of the Senate.

Mr. Steele moved to lay the resolution on the table.
Which was not agreed to.

The question then being, shall the resolution be adopted?
It was agreed to.

On motion by Mr. Studabaker,
The Senate took a recess until 8 o'clock, P. M.

8 o'clock, P. M.

The Senate met.

Message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has appointed Messrs. Branham, Prosser and Fisher as a committee on the part of the House, to confer with the similar committee of the Senate to consider the amendment of the Senate to House bill No. 346, an act in relation to applying certain funds therein named to the payment of the public debt, and raising revenue for the support of common schools, and to repeal all laws in conflict therewith.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the following concurrent resolution thereof, to-wit:

Be it resolved, by the Senate, the House of Representatives concurring therein, That the Senate and House of Representatives shall, upon the passage of this resolution by either House, proceed immediately to elect, by a *viva voce* vote, two trustees for the Asylum for the Blind, and two trustees for the Institution for the Education of the Deaf and Dumb, and two commissioners for the Hospital for the Insane, and also a President for the said several boards of trustees and commissioners, and the persons receiving a majority of all the votes cast in each House, shall be declared duly elected, to fill the said several offices, and the Secretary of the Senate and the Clerk of the House of Representatives shall immediately upon the choice as herein provided by the respective Houses certify the same to the Governor and Secretary of State.

In which the House respectfully concurred.

The Senate took up the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed engrossed bill thereof, to-wit:

House bill No. 341. A bill to amend section 1 of an act to amend the 103d section of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1859." Approved March 5, 1859.

In which the concurrence of the Senate is respectfully requested.

House bill No. 341, contained in the foregoing message, was read a first time and passed to a second reading on to-morrow.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills thereof, to-wit: bills Nos. 269 and 145.

House bill No. 269. A bill supplemental to an act passed March 3, 1855, entitled "An act to establish a bank with branches."

House bill No. 145. An act to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State."

In both of which the concurrence of the Senate is respectfully requested.

House bills Nos. 269 and 145, contained in the foregoing message, were severally read a first time, and passed to a second reading on to-morrow.

A message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to announce to the Senate, that in accordance with the concurrent resolution of the Senate reported to the House, the House proceeded to vote, and did vote for two trustees for the Asylum for the Blind, two trustees for the Institution for the Education of the Deaf and Dumb, two commissioners for the Hospital for the Insane, and one President of the several boards of trustees and commissioners of said Institutions; whereupon the following gentlemen were voted for as follows, to-wit:

For trustees for the Asylum for the Blind William M. Smith received fifty-two votes, and as against him H. G. Hazelrigg received twenty-two votes. For the same position John Baird received fifty-two votes, and as against him Michael Fitzgibbon received thirty-five votes.

For trustees for the Institution for the Education of the Deaf and Dumb John M. Kitchen received sixty-seven votes, and as against him Thomas M. Woolen received seventeen votes. For the same position Mr. Burt received fifty-seven votes, and as against him John M. Kitchen received twenty-nine votes.

For the Commissioners of the Hospital for the Insane, Patrick H. Jameson received fifty-seven votes, and as against him E. J. Peck received twenty-seven votes; for the same position John W. Moody received forty-seven votes, and as against him H. Brady received thirty-two votes.

For the Presidency of the several Boards of Trustees and Commissioners, Andrew J. Wallace received fifty-seven votes, and as against him Wm. H. Talbott received thirty-one votes.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bills thereof, Nos. 15 and 188:

House bill No. 15. An act to amend section second of an act entitled an act concerning the organization of voluntary associations, and repealing former laws in reference thereto, approved February 12, 1855.

House bill No. 188. A bill to provide for the organization of companies to build dams across any stream to afford slackwater navigation,

In which the concurrence of the Senate is respectfully requested.

House bills Nos. 15 and 188, contained in the foregoing message, were severally read a first time, and passed to a second reading on to-morrow.

The Senate took up the following messages from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Sen-

ate, that the House has passed the following engrossed bills thereof, to wit: Bills No. 154, 127, 165, 10 and 185.

House bill No. 127. A bill to give the custody and control of the records and papers of the former probate courts of the different counties of this State, to the clerks of the courts of common pleas, and to authorize them to make and certify transcripts of the same.

House bill No. 10. A bill authorizing county librarians to loan certain funds and regulating the same.

House bill No. 154. An act to amend an act entitled an act prescribing the powers and duties of justices of the peace in State prosecutions, approved May 29, 1852.

House bill No. 165. A bill to amend section three of an act entitled an act to fix the times of holding the common pleas courts in the several counties of this State, the duration of the terms thereof, and making all process from the present common pleas courts, returnable to such terms and declaring when this act shall take effect, and repeal all laws inconsistent therewith, approved March 5, 1859.

House bill No. 185. An act entitled an act to provide for several districts of the Court of Common Pleas of the State of Indiana,

In which the concurrence of the Senate is respectfully requested.

House bills No. 154, 127, 165, 10 and 185, contained in the foregoing messages were severally read a first time, and passed to a second reading on to-morrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill, No. 118:

House bill No. 118. An act to authorize judges of Circuit and Common Pleas Courts to make orders in vacation,

In which the concurrence of the Senate is respectfully requested.

House bill No. 118 contained in the foregoing message was read a first time and passed to a second reading on to-morrow.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

Senate bill No. 86. A bill to amend the fourth, sixth and seventh sections of an act entitled an act to amend an act to authorize and regulate the business of general banking, approved March 3, 1825,

With the following engrossed amendments of the House thereto:

Engrossed amendments made by the House to Senate bill No. 86, viz:

Insert in the proper place the following section:

SEC —. Whereas, under the present law, any banking association may procure its own plate and dies, therefore, an emergency exists for the immediate taking effect of this act, and it shall take effect and be in force from and after its passage,

In which the concurrence of the Senate is respectfully requested.

The engrossed amendments of the House were concurred in by the Senate.

Mr. Carnahan, from the Committee on Claims, made the following report:

MR. PRESIDENT:

The Committee on Claims, to whom was referred the claim of William Nofsinger, late Treasurer of State, who represents that the State of Indiana is indebted to him for two years' services, from February 8, 1855, to February 8, 1857, as Treasurer *ex officio* of the Institute of the Blind, collecting the accounts and keeping the books for the same.....\$200 00
Also for Deaf and Dumb Asylum..... 100 00

Total\$300 00
Have had the same under consideration, and unanimously direct me to report the same back to the Senate, and recommend its indefinite postponement.

Which was concurred in.

Mr. Studabaker, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 229, a bill to amend section twelve of an act entitled an act to authorize the construction of sewers and drains, approved June 12,

1852, and to legalize appointments made under said act, where the appraisers were sworn before justices of the peace, have had the same under consideration, and have directed me to report the same back, and recommend that the same be laid upon the table.

Which was concurred in.

A message from the House.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 36, a bill to amend the forty-ninth section of an act to provide the opening, vacating, and change of highways, approved June 17, 1852, with the following engrossed amendments, in which the concurrence of the Senate is respectfully requested :

Engrossed amendment of the House to Senate bill No. 36, viz. :

Amend by striking out of the second section of said bill all that relates to publication in the Indianapolis Daily Journal and Daily State Sentinel.

The engrossed amendments of the House were concurred in by the Senate.

Mr. Craven, from the Committee on Corporations, made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred House bill No. 326, a bill to revise an act entitled an act to legalize the doings and proceedings of the Alton, Mt. Carmel, and New Albany Railroad Company, and for other purposes, approved February 4, 1851, extending the time for the commencement and completion of said railroad, changing the name thereof, with some general provisions in regard to the corporate powers thereof, and including an emergency for the immediate taking effect of this act, have had the same under consideration, and have recommended me to report the same back to the Senate for its action.

House bill No. 326, contained in the foregoing report, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Williams, and Wolfe—38.

Those who voted in the negative were,

Messrs. Conner, Craven, and Hull—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Teegarden, from the Committee on Benevolent Institutions, made the following report:

MR. PRESIDENT:

The Committee on the Benevolent Institutions of the State, to whom was referred a resolution of the Senate, direct me to report the same back to the Senate, and recommend that it lay on the table.

Which was concurred in.

House bill No. 294. A bill to provide for the necessary judicial proceedings to procure the removal of the feeder dam erected across the Calumet river, in the State of Illinois, and for the payment of the expenses of such proceedings,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, March, Mellett, Miller, Murray, Odell, Steele, Stone, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Cobb, Ferguson, Johnston, Landers, Line, Lomax, O'Brien, Ray, Robinson, Shoemaker, Slack, Studabaker, Tarkington, Williams, and Wolfe—15.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 44. A bill to amend the first section of an act entitled an act to provide for the management and disposal of the estates of persons who have absented themselves from their usual places of residence, and gone to parts unknown, approved March 5, 1859,

Was read a third time.

Mr. Steele offered the following amendment to the bill :

Strike out "seven" and insert "five."

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Slack, Steele, Stone, Turner, White, and Wilson—36.

Those who voted in the negative were,

Messrs. Studabaker, Tarkington, and Wolfe—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Williams,

House bill No. 188. A bill to provide for the organization of companies to build dams across any stream to afford slackwater navigation,

Was taken from the files.

Mr. Williams moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Turner, White and Williams—35.

Senators Slack and Wolfe voting in the negative.

So the rules were suspended, and the bill read a second time by its title, and referred to a Select Committee, consisting of Senators Williams, Newcomb and Ray.

House bill No. 77. A bill to amend the sixth section of an act entitled an act to incorporate the St. Joseph Iron Company, and to repeal the seventh, eighth, ninth, tenth, eleventh and twelfth sections thereof, approved January 22, 1855,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, and Williams—38.

Those who voted in the negative were,

Messrs. White and Wolfe—2.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

On motion by Mr. Newcomb,

House bill No. 10. A bill authorizing county libraries to loan certain funds, and regulating the same,

Was taken from the files.

Mr. Newcomb moved to suspend the rules, and read the bill a second and third time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Turner, and White—36.

Those who voted in the negative were,

Messrs. Williams and Wolfe—2.

So the rules were suspended, and the bill read a second time by its title.

The rules being suspended, the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Carnahan, Claypool, Conner, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Landers, Line, Lomax, March, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, and Wolfe—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 105. A bill to provide for the location, vacation, or change of public highways, for the assessment of damages sustained by such location, vacation, or change, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, of an act to provide for the opening, vacating and change of highways, approved June 11, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Conner, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Mil-

ler, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White, and Williams—28.

Those who voted in the negative were,

Messrs. Anthony, Blair, Campbell, Carnahan, and Landers—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 262. A bill to amend the eleventh and twenty-fourth sections of an act entitled an act regulating the election and duties of State Librarian, approved May 27, 1852, and to punish the violation of its provisions,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Conner, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Slack, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams and Wolfe—37.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Tarkington, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House bill No. 135, a bill to amend section six of an act entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township officers, and prescribing the duties of assessors and appraisers of real property, county treasurer, and Auditor of State," approved June 2, 1852; so as to exempt from taxation real and personal property of widows, where the same does not exceed three hundred dollars in value; have had the same under consideration, and have amended the same as follows:

Amend the 5th clause by adding in the fourth line, after the word "institution," "by any individual, individuals, or association or corporation."

Amend 7th clause by adding "such real estate not to exceed three hundred and twenty acres."

Amend further by striking out the eighth clause.

The report was concurred in, the amendments adopted, and the bill passed to a third reading on to-morrow.

Mr. Berry, Chairman from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate bill No. 114. An act for the relief of borrowers of the Sinking Fund, and to repeal the fourth section, and so much as applies to the Sinking Fund of the whole act, entitled "an act to extend to borrowers of the Sinking Fund, Surplus Revenue Fund, Congressional School Fund, and other Funds, time of payment of loans, and prescribing the duties of the officers in regard thereto, approved March 3, 1859, and prescribing how mortgages may be substituted, and containing some provisions respecting the Sinking Fund, and its control and management, and matters properly connected therewith;" have had the same under consideration, and after due and careful examination of the enrolled copy with the original copy of said bill, hereby report the same to be truly and correctly enrolled.

Message from the Governor, by Mr. Holloway, his Private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed Senate bill No. 115. A bill to amend the 2d and 5th sections of an act to authorize the Commissioners of the Sinking Fund to receive substitutions of stock mortgages and for other purposes, approved January 28, 1847; and containing some provisions respecting the reinstating of mortgages given for loans made from the Sinking Fund, or any fund loaned by the Auditor or Treasurer of State, and sales made on account of any such funds, and respecting the collection and control of said funds, the time and place, and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith; and to authorize the conversion of Indiana stocks into bank bonds, and requiring the Commissioners to account for the interest on deposits of the income of the fund, and making the same a part there-

of, and has caused a copy of the same to be filed in the office of the Secretary of State.

Messages from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, viz.:

Senate bill No. 98. A bill to amend the thirteenth and fourteenth sections of an act entitled an act providing for the elections and qualifications of justices of the peace, and defining their jurisdiction, powers, and duties in civil cases, approved June 9, 1852, without amendment.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate, to-wit, No. 25, a bill authorizing justices of the peace, notaries public, mayors of towns and cities, and clerks of Circuit and Common Pleas Courts. to administer oaths generally, and county auditors in certain cases, and to legalize such as may heretofore have been administered by any of said officers, without amendment, in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate bills without amendment, to-wit: Bills Nos. 77, 20, 11, 52.

Senate bill No. 77. A bill to amend the thirty-third section of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

Senate bill No. 20. A bill supplemental to an act entitled an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof, approved March 5, 1856.

Senate bill No. 11. A bill to amend section one hundred and fifty-one of an act entitled an act to provide for the valuation and

assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors; and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.

Senate bill No. 52. An act to amend section three hundred and fifty-two of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bills No. 79 and 49, without amendment.

Senate bill No. 79. An act to amend section four of an act entitled an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act.

Senate bill No. 49. A bill to provide for struck juries in the Circuit and Common Pleas Courts.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 18.

Senate bill No. 18. A bill to amend section three hundred and fifteen of an act entitled an act to revise, simplify, and abridge the rules of practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 171, without amendment.

Senate bill No. 171. An act to repeal an act entitled an act to provide for the return of the jury in the Common Pleas Court at the
S. J.—58.

third day of the term, and to authorize the judges of the Courts of Common Pleas to fix the order of business in such Court, and the day on which the jury shall be summoned to appear in such Court.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate bills, without amendment, to-wit: Bills No. 175, 117, and 57.

Senate bill No. 175. A bill to amend section forty-two of an act entitled an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for, the judges thereof, approved May 14, 1855, so as to regulate the docketing and disposal of the business thereof, and the act amendatory thereto, approved March 5, 1859.

Senate bill No. 117. A bill to authorize and require clerks of Circuit and Common Pleas Courts to enter satisfaction of certain mortgages foreclosed in such courts, and providing compensation therefore.

Senate bill No. 57. A bill to amend the first section of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 1, 1852; and to legalize the action of boards of county commissioners in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate taking effect of this act.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the Senate engrossed amendment to House bill No. 44, to-wit:

House bill No. 44. A bill to amend the first section of an act entitled "An act to provide for the management and disposal of the estates of persons who have absented themselves from their usual place of residence and gone to parts unknown." Approved March 5, 1859.

Engrossed amendment of the Senate thereto:

Amend by striking out the word "three" and insert the word "five," in the eighth line of the seventh page of said bill.

MR. PRESIDENT :

I am directed by the House of Representatives to present to the President and Secretary of the Senate enrolled House bill No. 133 for their signatures.

The President and Secretary signed the bill.

Mr. Wagner, chairman of the Committee on Finance, made the following report :

MR. PRESIDENT :

The Committee on Finance, to whom was referred House bill No. 348, a bill making specific appropriations for the years 1861; have had the same under consideration and direct me to report the same back to the Senate with the following amendments, and when so amended recommend its passage.

SECTION —. That James N. Tyner be allowed the sum of twenty dollars for making out and publishing a list of Senate bills passed during the session, and forwarding a copy thereof to each Senator.

SEC. —. That James N. Tyner be allowed the sum of two hundred and forty-four dollars for sixty-one days service as Principal Secretary of the Senate.

SEC. —. That James F. Parker be allowed the sum of one hundred and sixty-five dollars, for fifty-five days service as Reading Clerk of the Senate.

SEC. —. That John H. Benton be allowed the sum of one hundred and eighty-three dollars, for sixty-one days service as Registering Clerk of the Senate.

SEC. —. That John W. Moore and George R. Bearss be allowed each the sum of one hundred and eighty-three dollars for sixty-one days service as Engrossing Clerks of the Senate.

SEC. —. That Thomas R. Lawhead be allowed the sum of seventy-eight dollars for twenty-six days service as Engrossing and Enrolling Clerk of the Senate.

SEC. —. That Joniah G. Hendricks be allowed the sum of fifty-four dollars for eighteen days service as Enrolling Clerk of the Senate.

SEC. —. That Francis P. Griffith be allowed the sum of two hundred and forty-four dollars, for sixty-one days service as Assistant Secretary of the Senate.

SEC. —. That James T. Bryer be allowed the sum of one hundred and eighty-three dollars for sixty-one days service as Assistant Journal Clerk of the Senate.

SEC. —. That L. R. Hartman be allowed the sum of one hundred and eighty-three dollars for sixty-one days service as Assistant Journal Clerk of the Senate.

SEC. —. That John J. Hawkins be allowed the sum of one hundred

and eighty-three dollars for sixty-one days service as Assistant Journal Clerk of the Senate.

SEC. —. That Irwin Robbins be allowed the sum of one hundred and twenty-six dollars for forty-two days service as Assistant Journal Clerk of the Senate.

SEC. —. That Charles E. Griffin be allowed the sum of forty-two dollars for fourteen days services as Assistant Journal Clerk of the Senate.

SEC. —. That James N. Tyner and Francis P. Griffith, Principal and Assistant Secretaries of the Senate, be each allowed the sum of seventy-five dollars for indexing the Journal of the Senate, and superintending the printing of the same.

SEC. —. That Samuel G. Thompson be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as Principal Doorkeeper of the Senate.

SEC. —. That Richard H. Litson be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as Assistant Doorkeeper of the Senate.

SEC. —. That John F. Mayer be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as Assistant Doorkeeper of the Senate.

SEC. —. That Isaac O'Haver be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as Assistant Doorkeeper of the Senate.

SEC. —. That Hiram Peden be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as Assistant Doorkeeper of the Senate.

SEC. —. That N. I. Riley be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as Assistant Doorkeeper of the Senate.

SEC. —. That E. Stephen be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as furnace tender for the Senate.

SEC. —. That William H. Clark be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as folder for the Senate.

SEC. —. That C. W. Cochran be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as messenger of the Senate.

SEC. —. That Frank P. Connell be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as page of the Senate.

SEC. —. That Charles C. Dennis be allowed the sum of one hundred and eighty-three dollars for sixty-one days services as page of the Senate.

SEC. —. That Bowen & Stewart be allowed the sum of four dollars and eighty-seven cents for stationery furnished for the Senate.

SEC. —. That A. B. Willard & Co. be allowed the sum of four dollars and ten cents for ribbon furnished for the use of the Senate.

SEC. —. That John Ott be allowed the sum of thirty-six dollars and sixty-three cents for furniture for the use of Senate, and repairs done upon furniture in said Senate room.

SEC. —. That Sheets & Braden be allowed the sum of eighty-eight dollars and fifty cents for stationery furnished for the use of the Senate.

SEC. —. That Ariel and William H. Drapier be allowed the sum of six hundred dollars, for six hundred copies of the Brevier Legislative Reports furnished for the use of the Senate during the present session, as per contract.

SEC. —. That I. G. Smith be allowed the sum of one dollar and fifty cents for mending poker, and work done on furnace.

SEC. —. That Spiegle, Thoms & Co. be allowed the sum of eight dollars for stand, table, &c., for the use of the Senate.

SEC. —. That James Russell be allowed the sum of one hundred and eighty-three dollars for sawing and splitting wood for the use of the Senate.

SEC. —. That John Ott be allowed the sum of ten dollars and seventy-five cents for letter box and table furnished Senate.

SEC. —. That R. C. Talbott be allowed the sum of two dollars and fifty cents for brooms furnished for the use of the Senate.

SEC. —. That Emerck & Co. be allowed the sum of three dollars and fifty cents for sundries furnished for the use of the Senate.

SEC. —. That Munson & Johnston be allowed the sum of six dollars and eighty-five cents for tinware furnished for the use of the Senate.

SEC. —. That Messrs. R. L. & A. W. McOuat be allowed the sum of six dollars and eighty-five cents for sundries furnished for the use of the Senate.

SEC. —. That Klotz & Pfafflin be allowed the sum of seven dollars and fifty-five cents for sundries furnished for use of Senate.

SEC. —. That Richard Heninger be allowed the sum of sixty-six dollars for one thousand one hundred and seventy-six copies of the Indiana Free Press, furnished enveloped and stamped weekly to the members of the Senate.

SEC. —. That T. A. Goodwin be allowed the sum of one hundred and one dollars and twenty cents for one hundred and sixty-five copies of the American furnished the Senate weekly.

SEC. —. That Julius Boetticher be allowed the sum of sixty-six dollars for 165 copies of the Weekly Volksblatt furnished the Senate weekly.

SEC. —. That the Indianapolis Journal Company be allowed the sum of four hundred and twenty-nine dollars for copies of said Journal furnished to the Senate as per contract.

SEC. —. That the sum of four hundred and twenty-nine dollars be allowed Bingham & Doughty for copies of the Daily Sentinel, furnished as per contract with the Doorkeeper.

SEC. —. That S. G. Thompson be allowed the sum of twenty-four dollars for letter stamps which were stolen from letter box.

SEC. —. That A. F. Shortridge be allowed the sum of nine dol-

lars for three days' service in repairing the Senate Chamber, at the commencement of the session.

SEC. —. That M. T. Lester be allowed the sum of nine dollars for three days' services in cleaning and repairing Senate Chamber, at the commencement of the session.

SEC. —. That J. F. Mayer be allowed the sum of nine dollars for three days' services in cleaning and repairing Senate, at the commencement of the session.

SEC. —. That T. B. Larue and W. H. Clark be allowed each the sum of six dollars for services rendered in cleaning and repairing Senate Chamber, at the commencement of the session.

SEC. —. That Jeremiah Shane be allowed the sum of one hundred and twenty dollars for carting documents and newspapers from the capital to the post-office, two trips per day, for sixty-one days.

SEC. —. That A. M. Puit be allowed the sum of twenty-seven dollars as fees for witness before the swamp land investigating committee.

SEC. —. That Caleb B. Smith, Godlove S. Orth, E. W. H. Ellis, P. H. Hackleman, and Thomas Slaughter be allowed the sum of four hundred dollars each for services as Commissioners to the Peace Congress at Washington City.

SEC. —. That A. Haywood be allowed the sum of sixteen dollars and twenty-five cents for repairs done in Senate Chamber.

SEC. —. That James H. Vawter be allowed the sum of nine dollars for services as clerk at the organization of Senate.

SEC. —. That Geo. W. Pitts be allowed the sum of twenty-five dollars for 3,000 pounds of ice furnished Senate and House of Representatives.

SEC. —. That Jo. T. Suit be allowed the sum of one hundred and eighty-three dollars for services as clerk on Committee of Finance.

SEC. —. That Thos. Collins be allowed the sum of one hundred and fifty dollars for services as cattle commissioner to Massachusetts.

SEC. —. That J. R. Slack, T. R. Cobb, S. K. Wolfe, and A. B. Line be allowed the sum of fifteen dollars each for expenses, mileage, &c., on visit as members of Senate to examine Southern Prison.

SEC. —. That John W. Dodd be allowed the sum of three hundred dollars as the amount paid by him for the delivery of Joseph T. Sweet, charged with the crime of forgery on the Boone County Bank.

SEC. —. That Merrill & Co. be allowed the sum of two dollars and seventy-five cents for blank books, &c., furnished to the Senate.

SEC. —. That D. C. Anthony be allowed the sum of five dollars as expenses as one of the committee on Mr. Lincoln's reception.

SEC. —. That the sum of fifteen thousand dollars is hereby appropriated to be expended under the direction of the Board of Trustees and Superintendent of the Institution for the Education of the Deaf and Dumb. *Provided*, that said appropriation shall be used to procure steam boilers of sufficient capacity to heat the whole

building; *and provided further*, that after the erection of the boiler house, there shall be put up heating apparatus sufficient to warm the school rooms and study rooms of the pupils, so that the furnaces in the basement of the main building may be dispensed with, and the building rendered secure from fire. *Provided*, that no contract shall be entered into by said trustees and superintendents, which shall involve a greater expenditure than the amount above appropriated.

SEC. —. That the sum of one thousand dollars be, and the same is hereby appropriated to J. P. Bryant, to reimburse him for work done and materials furnished in repairing State House, to be drawn upon the certificate of the joint committee of the Legislature to investigate the financial condition of the State. If, in the judgment of said committee upon investigation, that amount is due him.

SEC. —. That the Principal Secretary be authorized to employ additional enrolling clerks if necessary, in order to complete the enrollment of Senate bills passed this session; said clerks to be paid for such service, as certified by the Principal Secretary, not to exceed ——— dollars per day each.

On motion by Mr. Anthony,
The report was concurred in.

On motion by Mr. Wagner,

House bill No. 348, contained in the foregoing report, was read by sections.

The bill was then amended as follows:

Amend section twenty-four, so as to give Elijah Hedges 30 dollars instead of 20 dollars.

Amend section forty-three by striking out all after the word "Door-keeper."

Amend section fifty-four by striking out "one dollar and fifty cents per day," and inserting "two dollars per day."

Amend section marked sixty-four, so as to add to that provision making appropriation for swamp land investigation, the following: "said per diem to be paid out of said appropriation of 1,500 dollars."

On motion by Mr. Wagner,
The Senate adjourned.

SATURDAY MORNING, 9 o'clock, }
 March 9, 1861. }

The Senate met.

On motion by Mr. Murray,
 The reading of the Journal was dispensed with.

On motion by Mr. Hull,
 The Senate passed informally over the consideration of House bill No. 348, pending at adjournment on yesterday, and took up the following message from the House :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 177, with the following amendment, to-wit :

Senate bill No. 177. A bill to amend section 5 of an act entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith." Approved March 5, 1859.

In which the concurrence of the Senate is respectfully requested.

Amend section 5 by striking out of line second of said section the word "first," and inserting in lieu thereof the word "second;" and by providing that the Court shall sit in Ohio county one week instead of two.

The question being, shall the engrossed amendments of the House be concurred in?

It was agreed to.

House bill No. 186. A bill to authorize to Board of Commissioners to purchase toll bridges, or any private interest therein.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Carnahan, Claypool, Conner,

Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, March, Miller, Murray, Newcomb, O'Brien, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White and Williams—30.

Those who voted in the negative were,

Messrs. Johnston, Lomax, Slack and Wolfe—4.

So the bill passed.

Ordered, that the Secretary inform the House thereof.

On motion,

House bill No. 15. A bill to amend section second of an act entitled an "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto." Approved February 12, 1855.

Was taken from the files.

Mr. Carnahan moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Johnston, Landers, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Ray, Robinson, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams and Wolfe—34.

No Senator voting in the negative.

So the rules were suspended, and the bill read a second time by its title.

The rules being suspended, the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Carnahan, Conner, Cravens, DeHart, Dickinson, Grubb, Hamilton, Jones, Line, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams and Wolfe—30.

Those who voted in the negative were,

Messrs. Beeson, Claypool, Craven and Johnston—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The following Senate bill No. 57, a bill to amend the first section of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852; and to legalize the action of boards of county commissioners, in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate taking effect of this act.

With the following engrossed amendment of the House:

Strike out all that part that requires the publication in the Journal and Sentinel.

Was taken up, and the engrossed amendments of the House was concurred in by the Senate.

The following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 19.

Senate bill No. 19. An act to amend the third section of an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, approved February 26, 1857, with the following engrossed amendment:

Strike out the word "November" in the seventh line of the third section of said bill, and insert in its stead the word "October."

In which the concurrence of the Senate is respectfully requested.

The question being, shall the engrossed amendments of the House be concurred in,

It was agreed to.

Mr. DeHart, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the Organization of Courts, to which was referred Senate bill No. 274, have had the same under consideration, and report a substitute for said bill, and recommend its passage.

The report was concurred in, and the substitute adopted.

Mr. Newcomb moved that the bill be considered as engrossed, and read a third time now,

Which was agreed to, and the bill was read a third time.

On motion by Mr. Studabaker,

The bill was recommitted, with the following instructions:

Strike out the allowance of four dollars per day, where it occurs in the allowance to the judge.

House bill No. 199. A bill to amend an act entitled "an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock,

Was read a third time.

Mr. March offered the following amendment:

Add the following section:

This act may be amended or repealed at any time in the discretion of the Legislature,

Which was unanimously agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, March, Miller, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, Williams, and Wilson—27.

Those who voted in the negative were,

Messrs. Cobb, Johnston, Lomax, Murray, Odell, Ray, Robinson, Studabaker, and White—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. March, Chairman of the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 106, a bill to amend the 13th section of an "act defining misdemeanors, and prescribing the punishment therefor, have had the same under consideration, and direct me to report the same back for the action of the Senate,

The report was concurred in, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Landers, Line, March, Mellett, Miller, Murray, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Teegarden, Turner, and Wagner—30.

Those who voted in the negative were,

Messrs. Anthony, Claypool, Conner, Lomax, Newcomb, Odell, Slack, Tarkington, White, Williams, Wilson, and Wolfe—12.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Senate bill No. 227. A bill to regulate the contingent fee on perpetual scholarships in the State University and providing for the purchase of the same,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson, and Wolfe—39.

Those who voted in the negative were,

Messrs. Anthony, Craven, and Lomax—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. DeHart, from the Committee on the Organization of Courts, made the following report:

MR. PRESIDENT:

The Committee on the organization of Courts, to whom was referred Senate bill No. 274, a bill to provide for the appointment of a temporary Judge of the Court of Common Pleas, in cases in which the regular Judge is absent, or has interest in the subject of the suit, or is related to the parties therein, and for the holding of extra terms of said court, with the instructions thereto, have had the same under consideration, and have instructed me to report the same back, with amendments, as follows:

Add, after the words "four dollars" in section one, the following words: "To be paid out of the salary of the regular judge of said court."

Strike out from section two these words, "And for each day of such court, the judge shall receive four dollars."

The report was concurred in and the amendments adopted, and, on motion by Mr. Newcomb, the bill was put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, Lomax, March, Mellett, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, and Wilson—36.

Those who voted in the negative were,

Messrs. Johnston, Slack, and Wolfe—3.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The following message from the House was taken up:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed House bill thereof, No. 317.

House bill No. 317. A bill regulating the assessment and collection of taxes on the capital stock of the Bank of the State of Indiana, and the Stock Banks of the State of Indiana.

In which the concurrence of the Senate is respectfully requested.

House bill No. 317, contained in the foregoing message, was read a first time.

Mr. ——— moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wilson—42.

Mr. Wolfe voting in the negative.

So the rules were suspended, and the bill was read a first and second time by its title.

The bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Wilson, and Wolfe—32.

Those who voted in the negative were,

Messrs. Cobb, Johnston, Landers, Lomax, Ray, Shoemaker, Slack, Studabaker, and Wolfe—9.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Slack offered the following protest, which was ordered to be spread upon the Journal:

The undersigned members of the Senate submit the following protest:

The President of the Senate having decided that the reading of the Journal was a question over which a majority of the Senate had the control as well as any other, from which decision of the Chair Senators Cobb and Slack appealed, and the decision of the Chair was sustained by the Republican votes of the Senate.

In view of the fact that the constitution of the State of Indiana provides that "each House shall keep a journal of its proceedings," we cannot conceive how it is possible for the Senate to do so, unless Senators have the privilege of hearing the Journal read, and correcting the errors, if any therein contained—particularly is it necessary at this time, at this session of the Senate, from the fact that when the Journal has been read, it has so frequently been necessary to correct its errors and supply its omissions; and in view of the fact that the Assistant Secretary announced to the Senate on a former occasion, and which met the approbation of the Republican members, that he "exercised a sound discretion, in making up the Journal, as to what should go upon it, and what should not," and the refusal of said Republican members to have the Journal read, and it being entirely out of the question for the Democratic members to read it individually, hence they have no assurance of its verity and correctness, and cannot do otherwise than question and suspect its authenticity.

Rule 1, adopted by this Senate at the beginning of the session, provides that "the President shall take the Chair every day precisely at nine o'clock in the forenoon. * * * * He shall immediately call the Senators to order; and, upon the appearance of two-thirds, shall cause the Journal of the preceding day to be read."

This rule, we conceive, only carries out the spirit and meaning of the Constitution, and can only be executed by reading the Journal upon the demand of any Senator present. In view of the fact that the Journal should always be referred to as authority, the courts look to them to ascertain the validity of a law, and should not be disputed by any member, but the undersigned cannot do otherwise than bear testimony to the great uncertainty of the present Journal, and its want of authenticity, resulting from the fact that we are not permitted to have it read and correcting its numerous errors.

The undersigned, therefore, most solemnly protest against the ruling of the President of the Senate, and the vote of the Republican members thereof, in sustaining said decision, as a ruling at war

with a plain provision of the Constitution of our State, indirect violation of one of the Standing Rules of the Senate, and wholly destroying the verity of that which should be a true and correct record of our proceedings.

I. N. CONLEY,	JAMES R. SLACK,
T. R. COBB,	S. K. WOLFE,
FRANKLIN LANDERS,	M. M. RAY,
JNO. C. SHOEMAKER,	SMITH JONES,
Q. LOMAX,	D. STUDABAKER,
ARCH. JOHNSTON,	J. D. WILLIAMS,
W. C. TARKINGTON,	M. T. CARNAHAN,
C. O'BRIEN,	H. K. WILSON,
C. P. FERGUSON,	A. B. LINE.
JAMES ODELL,	

The Senate having resumed the consideration of House bill No. 348, a bill making specific appropriations for the year 1881, the consideration of which had been informally passed over by the Senate this morning, the Senate amendments thereto reported by the Finance Committee, were taken up and read by sections, and the following amendments to said report, were adopted by the Senate:

SECTION —. That James F. Parker be allowed the sum of two hundred and twenty dollars for fifty-five days' services as Reading Clerk of the Senate.

SEC. —. That John H. Benton be allowed the sum of two hundred and forty-four dollars for sixty-one days' services as Registering Clerk of the Senate.

SEC. —. That John W. Moore and George R. Bearss be allowed each the sum of two hundred and forty-four dollars for sixty-one days' services as Engrossing Clerks of the Senate.

SEC. —. That Thomas R. Lawhead be allowed the sum of one hundred and four dollars for twenty-six days' services as Engrossing and Enrolling Clerk of the Senate.

SEC. —. That Josiah G. Hendricks be allowed the sum of seventy-two dollars for eighteen days' services as Enrolling Clerk of the Senate.

SEC. —. That James T. Bryer, L. R. Hartman and John J. Hawkins be allowed each two hundred and forty-four dollars for sixty-one days services as Assistant Journal Clerks of the Senate.

SEC. —. That Irwin Robbins be allowed the sum of one hundred and sixty-eight dollars for forty-two days services as Assistant Journal Clerk of the Senate.

SEC. —. That Charles E. Griffin be allowed the sum of fifty-six dollars for fourteen days services as Assistant Journal Clerk of the Senate.

SEC. —. That Samuel G. Thompson, Principal Doorkeeper of the Senate, and Richard H. Litson, Assistant Doorkeeper of the Sen-

ate, be each allowed the sum of two hundred and forty-four dollars for sixty-one days services as such Doorkeepers.

SEC. —. That John F. Meyer, Isaac O. Hewer, Hiram Peeden, A. J. Reiley, be each allowed the sum of two hundred and forty-four dollars for sixty-one days services each as Assistant Doorkeepers of the Senate.

SEC. That E. Stevens be allowed the sum of two hundred and forty-four dollars for sixty days services as furnace tender for the Senate.

SEC. —. That William H. Clark be allowed the sum of two hundred and forty-four dollars for sixty-one days services as folder for the Senate.

SEC. —. That C. W. Cochran be allowed the sum of two hundred and forty-four dollars for sixty-one days services as Messenger of the Senate.

SEC. —. That James Newbanks be allowed the sum of two hundred and forty-four dollars for sixty-one days services as Assistant Doorkeeper of the Senate.

Mr. March moved to amend section —, referring to the Pages of the Senate by striking out “three dollars,” where it occurs, and inserting “two dollars.”

Mr. Steele moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators March and Steele,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Cobb, Conley, Conner, Cravens, Culver, DeHart, Ferguson, Hamilton, Hull, Line, Lomax, Miller, O'Brien, Ray, Robinson, Slack, Steele, Studabaker, Tarkington, Teegarden, Wagner, White, Williams and Wolfe—30.

Those who voted in the negative were,

Messrs. Carnahan, Claypool, Craven, Johnston, Jones, Landers, March, Murray, Newcomb, Odell and Stone—11.

So the amendment was laid upon the table.

Mr. Line moved to amend section —, which refers to Jeremiah Shea by striking out “one hundred and twenty” and inserting “sixty.”

Which was not agreed to.

S. J.—59.

Mr. DeHart moved to amend section —, referring to James R. Slack, T. R. Cobb, S. K. Wolfe and A. D. Line, by striking out "fifteen" and inserting "thirty."

Which was agreed to.

Mr. Wagner moved to strike out all that section relating to John W. Dodd.

Mr. March moved to amend by adding the following :

Provided, That said sum shall be paid out of the fees appropriated by said John W. Dodd without the authority of law; *and provided further*, That said John W. Dodd pay back to the State all fees so appropriated by him under the provisions of the third section of the act of 1859, in relation to fees and salaries.

Which was agreed to.

The section as amended was then adopted.

Mr. Wagner offered the following amendment :

SEC. —. That Martin M. Ray, Smith Jones, Daniel R. Bearss, John F. Miller and Benjamin F. Claypool be allowed each five dollars for expenses as Committee of Escort for Hon. Abraham Lincoln to Cincinnati.

Which was not agreed to.

Mr. Cobb offered the following amendment :

Amend by inserting the following :

SEC. —. That Abraham H. Miller, of Lawrence county, be and he is hereby allowed the sum of three hundred dollars to compensate him for services rendered in the pursuit of, and taking into custody, one John Hampton, of Orange county, Indiana, charged with, and afterwards convicted of the murder of Squire Kenly, of said county.

Which,

On motion by Mr. Wagner,
Was laid upon the table.

Mr. Stone offered the following :

Amend by inserting :

SEC. —. Allen O. Neff, three dollars per day for forty-eight days work, wheeling coal and wood and other necessary work under the

direction of the Librarian; less thirty-five dollars already paid him by the Librarian.

Which,

On motion by Mr. Newcomb,
Was laid upon the table.

Mr. Teegarden offered the following amendment:

That J. S. McDonnell be allowed six hundred and fifty-four dollars and ninety-five cents, being the balance due him as Sergeant-at-Arms for services as such during the investigation of the Bank Fraud Committee, 1857,

Which was referred to the Committee on Finance.

Pending the consideration of the report on Finance, embodying amendments to House bill No. 348,

On motion by Mr. Wagner
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

On motion by Mr. Tarkington,

A call of the Senate was ordered.

The Secretary proceeded with the call, whereupon,

The following Senators answered to their names:

Messrs. Anthony Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, DeHart, Grubb, Hamilton, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—36.

On motion by Mr. Anthony,
The further call of the Senate was dispensed with.

The Senate having resumed the consideration of House bill No. 348 with the pending amendments thereto reported by the Senate Committee of Finance which was pending at adjournment.

Mr. Wagner moved to put the bill upon its passage.

Mr. Craven moved to amend the bill by adding the following section:

SEC. —. That George Hazzard be allowed two dollars per day for thirty-two days' services as Assistant Doorkeeper and document distributor for the House of Representatives.

Which was agreed to.

Mr. Ray offered the following amendment:

SEC. —. That the Auditor and Treasurer of State be, and they are hereby authorized to allow, out of the swamp land fund, to the late Treasurer of State one-fourth of one per cent. upon the amount of said fund by him received, and one-fourth of one per cent. upon the amount of said fund by him disbursed; and upon ascertaining the amount, to issue a warrant therefor.

Which, on motion by Mr. March, was laid upon the table.

The question being, shall the bill be put upon its passage?
It was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Carnahan, Claypool, Conner, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, Miller, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Tarkington, Teegarden, Turner, Wagner, and White—30.

Those who voted in the negative were,

Messrs. Craven, Johnston, Jones, Landers, Lomax, March, Mellett, Murray, Stone, Studabaker, Williams, Wilson, and Wolfe—13.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The Senate took up the following House message:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 136, with the following engrossed House amendments, to-wit:

Senate bill No. 136. An act to amend an act entitled an act to amend the sixth section of an act providing for the organization of county boards, and prescribing some of their powers and duties, approved June 17, 1852, which latter act was approved February 16, 1859.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 1 of said act, which reads as follows, to-wit:

SEC. 6. Such commissioners shall meet at the court house in each county, on the first Mondays in March, June, September, and December in each year; and in counties whose population is under ten thousand, such commissioners may sit six days at such term; but if the population exceeds ten thousand, they may sit nine days if the business requires it, the enumeration to be fixed by the last census of the United States, or by the State; but if the Circuit Court shall meet on any of the before mentioned days, the commissioners may meet in the auditor's office.

In which the concurrence of the Senate is respectfully requested.

The question being, shall the engrossed amendments of the House be concurred in?

It was agreed to.

The following House message was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit:

House bill No. 295. An act to amend an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1857.

House bill No. 295, contained in the foregoing message, was read a first time.

Mr. Anthony moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Campbell, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams, Wilson, and Wolfe—36.

No Senator voting in the negative.

So the rules were suspended, and the bill was read a second time by its title.

Mr. Conner moved to take up House bill No. 62, and take a re-vote thereon.

Mr. March moved to lay the motion on the table.

The ayes and noes were demanded by Senators March and Conner.

Pending the call of the roll upon that motion,

Mr. March moved a call of the Senate.

The Chair decided that the motion was not in order, as the calling of the roll had commenced upon the motion to lay on the table.

The question recurring upon the motion to lay on the table the motion of Mr. Conner, and

The ayes and noes being previously demanded by Senators March and Conner,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Craven, Grubb, Jones, Landers, March, Mellett, Murray, Ray, Shoemaker, Stone, Studabaker, White, Williams, and Wolfe—16.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Ferguson, Hamilton, Hull, Johnston, Line, Miller, Newcomb, O'Brien, Odell, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, and Wilson—26.

So the motion to lay on the table did not prevail.

On motion by Mr. March,
A call of the Senate was ordered.

The Secretary proceeded with the call, when the following Senators answered to their names:

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson, and Wolfe—45.

On motion by Mr. Johnston,
The further call of the Senate was dispensed with.

Mr. March moved that the Senate do now adjourn.

The ayes and noes being demanded by five Senators,

Those who voted in the affirmative were,

Messrs. Bearss, Carnahan, Craven, Landers, March, Williams, and Wolfe—7.

Those who voted in the negative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Line, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—38.

So the motion to adjourn did not prevail.

Mr. Conner moved the previous question.

The question being, shall the previous question be sustained?

The ayes and noes being demanded by Senators Craven and March,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Con-

ner, Cravens, Culver, DeHart, Dickinson, Ferguson, Hamilton, Hull, Johnston, Miller, Murray, Newcomb, O'Brien, Odell, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—28.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, Landers, Line, March, Mellett, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—16.

So the previous question was sustained.

The question then being, shall the Senate take a re-vote upon House bill No. 62?

The ayes and noes being demanded by Senators Craven and March,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Hamilton, Hull, Johnston, Miller, Newcomb, O'Brien, Odell, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, and White—26.

Those who voted in the negative were,

Messrs. Bearss, Carnahan, Cobb, Conley, Craven, Grubb, Jones, Landers, Line, March, Mellett, Murray, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, Wilson, and Wolfe—20.

So the Senate decided to take a re-vote upon the bill.

Pending the vote on the passage of the bill,

Mr. Mellett moved to pass informally over the matter, and take up House messages.

Which the President decided to be out of order.

From which decision Mr. March took an appeal.

Mr. Conner moved to lay the appeal on the table.

The President decided that no motion was in order pending the calling of the roll upon the passage of the bill.

From which decision Mr. March again appealed.

The President decided all appeals to be out of order until after the vote was taken upon the passage of the bill, and

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Berry, Blair, Campbell, Claypool, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Hamilton, Hull, Johnston, Miller, Newcomb, O'Brien, Odell, Robinson, Steele, Tarkington, Teegarden, Turner, Wagner, White, and Wilson—26.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Carnahan, Cobb, Conley, Craven, Grubb, Jones, Landers, Line, Lomax, March, Mellett, Murray, Ray, Shoemaker, Slack, Stone, Studabaker, Williams, and Wolfe—21.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

On motion by Mr. Studabaker,

House bill No. 341, a bill to amend section one of an act to amend the one hundred and third section of an act entitled an act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852, approved March 5, 1859,

Was taken from the files.

Mr. Studabaker moved to suspend the rules and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—42.

No Senator voting in the negative.

So the rules were suspended and the bill read a second time by its title.

The bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, O'Brien, Odell, Ray, Robinson, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Wagner, White, Williams, Wilson, and Wolfe—38.

Senator Newcomb voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof:

House bill No. 242. A bill to provide for inclosing the Tippecanoe Battle Ground, and making an appropriation therefor, and prescribing penalties for the violation of this act.

In which the concurrence of the Senate is respectfully requested.

The message was concurred in, and

House bill No. 242. A bill to provide for inclosing the Tippecanoe Battle Ground, and making appropriation therefor,

Was read a first time.

Mr. Slack moved that the rules be suspended, and the bill read a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Campbell, Carnahan, Claypool, Conley,

Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, Miller, Newcomb, O'Brien, Odell, Ray, Slack, Steele, Stone, Studabaker, Tarkington, Wagner, White, Williams, Wilson and Wolfe—34.

Those who voted in the negative were,

Messrs. Craven, March, Mellett, Robinson and Teegarden—5.

So the rules were suspended, and the bill read a first and second time by its title.

Mr. Newcomb moved to amend the bill by striking out 6,000 and inserting 3,000.

Mr. Conley moved to lay the amendment on the table.

The ayes and noes being demanded by Senators Conley and Culver,

Those who voted in the affirmative were,

Messrs. Anthony, Claypool, Cobb, Conley, Culver, DeHart, Ferguson, Hamilton, Hull, O'Brien, Odell, Ray, Slack, Steele, Tarkington, White, Wilson and Wolfe—18.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Blair, Campbell, Carnahan, Craven, Grubb, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Robinson, Stone, Studabaker, Teegarden and Williams—22.

So the amendment was not laid upon the table.

By consent,

Mr. Newcomb withdrew his amendment.

The rules having been suspended, the bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Conley, Conner, Culver, DeHart, Grubb, Hamilton, Landers, Miller, O'Brien, Odell, Ray, Slack, Steele, Wagner, Williams, Wilson and Wolfe—18.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Berry, Campbell, Carnahan, Cobb, Craven, Dickinson, Ferguson, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Murray, Stone, Studabaker, Tarkington, Teegarden and White—22.

So the bill failed.

Messages from the House, by Mr. Gordon, Clerk thereof.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has refused to concur in the following Senate amendments to the following engrossed House bill No. 348, to-wit :

House bill No. 348. An act making specific appropriations for the year 1861.

The engrossed amendments of Senate to above bill were all concurred in, except sections 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 27, 44, 46, 53 and 59.

Mr. Wagner moved that the Senate adhere to its amendments, and that a Committee of Free Conference be appointed upon the subject of disagreement between the Houses respecting House bill No. 348 and Senate amendments thereto.

The ayes and noes being demanded by Senators March and Williams,

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Blair, Campbell, Cobb, Conner, Culver, DeHart, Ferguson, Hamilton, Hull, Line, Mellett, Miller, Murray, O'Brien, Ray, Shoemaker, Slack, Steele, Studabaker, Tarkington, Wagner, White, and Wolfe—25.

Those who voted in the negative were,

Messrs. Beeson, Conley, Craven, Dickinson, Grubb, Johnston, Jones, Landers, March, Newcomb, Odell, Robinson, Stone, Teegarden, Williams, and Wilson—16.

So the motion to adhere to the amendments of the Senate prevailed, and the President appointed Senators Wagner, Anthony and DeHart a Committee of free Conference upon the subject.

The Senate took up the following House message,

MR. PRESIDENT :

I am directed by the House to request the Senate to return to the House House bill No. 349,
Which was concurred in,

Mr. Tarkington introduced

Senate bill No. 279. A bill accepting the surrender of a contract by William H. Talbott and Francis Costigan for the construction of the Northern State Prison, and the rights and property therein mentioned and to appropriate the sum of of \$13,574 27 to pay said Talbot and Costigan the amount due them according to estimate for work under said contract.

Mr. Tarkington moved to suspend the rules and read the bill a first and second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Cravens, Culver, Dickinson, Ferguson, Hull, Johnston, Jones, Landers, Line, Lomax, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Slack, Steele, Stone, Tarkington, Teegarden, Wagner, White, Williams, Wilson and Wolfe—34.

Those who voted in the negative were,

Messrs. Bearss, Berry, Craven, DeHart, Grubb, Hamilton, March, Mellett, Robinson, and Studabaker—13.

So the rules were suspended and the bill read a first and second time by its title.

Mr. Bearss offered the following amendment:

Strike out after the title and insert,

Whereas, There is a difference of opinion in this General Assembly as to the proper course to be pursued in the settlement with the contractors for the building of the State Prison North; and,

Whereas, The investigation of the Joint Committee appointed by the two Houses of the General Assembly, exhibits the fact that fraud was committed in the locating and constructing of said Prison; and,

Whereas, The said Talbott and Costigan, contractors, have tendered a proposition to this General Assembly for the settlement of a claim alleged to be done them for the building of said Prison, the justice of which claim this General Assembly cannot, for want of time, determine; therefore, for the purpose of adjusting all matters of difference between the State and said contractors,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Governor be and he is hereby authorized to appoint one person to meet and act with some other person to be appointed by said Talbott and Costigan, contractors, who jointly shall select a third person, all of whom are to constitute a commission to examine the accounts of said contractors, the work done by them on said Prison, and all matters properly connected with the same, and settle with said contractors.

SEC. 2. That, if said Commissioner shall find that any thing is due to said contractors, they shall make out a certified statement of the same, and file it with the Auditor of State. And upon the filing of said statement, said Auditor shall be authorized to draw his warrant upon the Treasurer of State for said sum, who shall pay the same out of any moneys in the treasury not otherwise appropriated. And as a compensation for their services, the Commissioner appointed on the part of the State shall be allowed three dollars per day, and the Joint Commissioner, appointed as hereinbefore provided, shall be allowed one dollar and fifty cents per day, for each day necessarily employed in making such settlement, such sum, properly certified to by said Commissioners, to be paid out of any moneys in the treasury not otherwise appropriated, upon the warrant of the Auditor of State.

SEC. 3. That the contract with the said Talbott and Costigan, contractors, is hereby declared to be null and void for fraud committed against the State.

Mr. Tarkington moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Bearss and Tarkington.

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Cobb, Conley, Conner, Culver, Ferguson, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson, and Wolfe—34.

Those who voted in the negative were,

Messrs. Bearss, Craven, DeHart, Dickinson, Grubb, and March—6.

So the amendment was laid on the table.

Mr. Newcomb moved that the bill be considered as engrossed and read a third time now.

Which was agreed to.

The bill was then read a third time.

Mr. Murray moved the previous question.

The ayes and noes being demanded by Senators Mellett and DeHart.

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Campbell, Carnahan, Cobb, Conley, Conner, Cravens, Culver, Ferguson, Hull, Landers, Line, Lomax, Murray, Newcomb, O'Brien, Odell, Ray, Slack, Steele, Stone, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—30.

Those who voted in the negative were,

Messrs. Bearss, Claypool, Craven, DeHart, Dickinson, Grubb, Hamilton, Johnston, Mellett, Miller, Robinson and Studabaker—12.

So the previous question was seconded.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Carnahan, Cobb, Conley, Cravens, Culver, Ferguson, Landers, Line, Lomax, Murray, Newcomb, O'Brien, Odell, Ray, Slack, Steele, Stone, Tarkington, Teegarden, Turner, Wagner, White, Williams, Wilson and Wolfe—26.

Those who voted in the negative were,

Messrs. Bearss, Beeson, Blair, Claypool, Craven, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, March, Mellett, Miller, Robinson and Studabaker—16.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Slack, from the Committee on State Prison, made the following minority report:

MR. PRESIDENT:

The undersigned, a minority of the Committee on the State Prison, to whom was referred the resolutions of the Senate to inquire into the alleged frauds, if any, in connection with the location, letting of contracts, construction and management of the State Prison North, and the conduct of the Board of Control and other officers, in relation thereto, would respectfully report.

The Committee first proceeded in a body, in connection with the House committee, to Michigan city, the place of the location of the Prison, and examined the site for location, and the work already begun and completed. We made a personal examination of the work, and found the site to be an excellent one for the purposes of a Prison. Seventy-five acres of the land purchased is rich bottom land, the remainder sandy upland, very suitable for building purposes. The land was purchased at much less than its real value—forty-five dollars per acre. A large amount of work has been done since the location, in the short space of time intervening between the arrival of the first convicts, April 5th, and winter. We found that the contractors, Talbott & Co., had within a few months pushed forward the work with great energy, and that the work done was with the best material and in the most substantial manner; one building two hundred feet long, forty feet wide, two stories high, with a central basement divided into rooms. This building is completely fitted up for a temporary prison, and is now occupied by the convicts and guards. It is intended for a work shop, after the cell house is built. The stone foundations of the outside walls are also laid; the foundations of one cell house and the west wall almost completed. All this work is done in the most complete manner, and in compliance with the contract and specifications.

Michigan city is a flourishing commercial point on Lake Michigan, with good railway facilities, a population of about four thousand, and the best facilities for procuring raw materials for manufactures, and for the shipment out of manufactured articles. We believe that this location is the best one in the State for a prison, and that after the completion convict labor will be worth from ten to fifteen cents per day more than at any other point in the State. If this is the case, the prison will yield a revenue when completed to the State, a large amount per year.

We found everything in the temporary prison in good order, clearly and properly conducted.

The committee returned and commenced the examination of witnesses during the latter part of January, and continued the same from time to time until the 27th ult., when the examination closed.

It might not be out of place here to state that the majority of the committee at once began to display the most malignant partizanism instead of a desire to arrive at the truth. All persons who had been attacked by Republican political demagogues and place-seeking cormorants, whose only anxiety seemed to be to oust the present occu-

pants, were excluded from the committee room, and were not allowed to question witnesses.

We believe that this conduct of an investigation has not a parallel.

The investigating committee was turned into an inquisition for the purpose of suppressing the facts instead of disclosing the truth; to malign and blacken the character of Democratic officials, rather than sustain the meritorious and reward official integrity.

The names of a large number of persons were handed to the committee to be subpoenaed by the parties interested, for the purpose of repelling charges made against the Board of Control and others; yet the committee refused to send for these witnesses, thus making the examination a one-sided partial affair, and utterly partisan in character; it is, therefore, entitled to little respect at the hands of the Senate.

The report of the majority is an unfair review of the evidence. It contains statements not in the testimony at all, and for the purpose of correcting the false impressions made by it, we herewith incorporate the evidence as a part of this report (marked A.) The effort seem to be, on the part of those conducting the examination, that bribes were received by the Board of Control for making the location. All the members of the Board of Control were examined fully on this point, as will be seen by the evidence. Each of them fully denied having received anything, or of anything being offered. Many other witnesses were examined upon this point with the same result. In letting the contract to Talbott & Co., the Board of Control and Gov. Willard were governed by the same rules which should influence all persons who felt a proper respect for the position occupied, and had the interest of the State in view.

It is established beyond all question of doubt, by the testimony of witnesses whose integrity and standing are unimpeachable, that the contract with Talbott & Co. is an excellent one for the State. It is a contract which will require the most rigid care in its execution by the contractors, and the most liberal construction by the State officers in charge of the work, to insure to the contractors anything like a fair remuneration for their labors.

The bid of Dunlap, about which so much is said in the majority report, and which is so much less than the bid of Talbott & Co., the undersigned cannot look upon in any other light than that of the invention of a speculation *wrecker*, who bid on the work at a much less price than it could possibly be done for trusting to future luck in procuring additional appropriations from the Legislature. They proposed to take the work at ruinous prices, and either to abandon the work and involve the State in a lawsuit and a new letting, or else to get in on a low bid, and then gouge out by a compromise.

The fact that the bid of Talbott & Co. was from seven to ten per cent. below the estimate of the architect; and at the same time a complete bid is an answer to all that is said against it. In addition, Mr. Costigan, Talbott's partner, is a distinguished builder and architect, a man of great energy of character, and the board acted wisely

in accepting this bid in place of the wrecking bid of Geo. W. Dunlap.

We wish to refer briefly to the report of the majority. It is, in short, a gross misrepresentation of the evidence. It contains many statements not in the evidence at all. In the initiation of a new enterprise like this, the board may have committed errors; but the expense of starting a new prison will be much greater than the expense of conducting and supplying a prison already built. We respectfully refer to the evidence and to the report of the Board of Control, as containing the facts themselves in reference to this whole enterprise. No unprejudiced mind can draw such conclusions as have been arrived at in the majority report. It is unfortunate that this question has assumed a partisan character. It is a question of business to the people of the State. A new prison is needed badly—one hundred and fifty men are now idle at the Southern Prison. We hope that the work may be carried on with dispatch to completion. It is unnecessary to refer in detail to the report of the majority. Any unprejudiced man, by comparing it with even the partial evidence taken, will conclude at once that the report misrepresents even that partial testimony.

J. R. SLACK,
A. B. LINE,
W. C. TARKINGTON.

The undersigned, members of the Joint Committee for the examination of the State Prison north, would state that we fully concur in the minority report signed by J. R. Slack *et al.*, as far as we had an opportunity of judging of the facts upon which it is based; but in justice to ourselves, we would state that we were not present but a small portion of the time with the committee while the examinations were being made; and owing to the great haste in which the report of the majority of the committee was presented to the Senate after the close of the examinations of witnesses, and the expeditious manner in which the same, with the testimony, was disposed of by the Senate without reading, we have not yet had an opportunity of examining only a small portion of the testimony, and therefore cannot state positively what it proves, yet we know the observations of the foregoing report of the minority as to the unfair and impartial manner in conducting the examinations, as exhibited during the times we were present at the sittings of the committee, are eminently just.

Therefore, while we hate fraud, and would willingly join in exposing and denouncing it, we are satisfied the kind of an examination upon which the majority have pretended to base their report, is not, in any fair sense of the word, calculated to prove it, or anything else. In such a case, both sides must be heard and examined impartially, and then decided on without party or any other kind of prejudice, in order to establish any fact. *Ex parte* examinations, conducted after the manner of an inquisition, as this one appears to have been, should not and will not satisfy an impartial and unprejudiced mind of any

proposition stated, and assumes only the character of a charge unproved, similar to an unfair inquisition before a grand jury.

For these reasons, we have been unable to sign either the majority or minority report.

S. K. WOLFE,
THOS. R. COBB.

The report was laid upon the table, and five hundred copies thereof ordered to be printed.

On motion by Mr. Williams,
The Senate took a recess until 7½ o'clock P. M.

7½ o'clock, P. M.

On motion by Mr. Tarkington,

The Senate took up the following message:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

Senate bill No. 187. A bill to repeal an act entitled an act to provide for extending the terms of the Circuit Courts by adjournment when the pending business shall be unfinished, approved February 12, 1855, to authorize the Court or Judge to call and hold special terms, and to provide for the compensation of the Judges for holding such adjourned and special terms, and of prosecuting attorneys while in attendance upon the same, approved December 24, 1858, and to legalize all judgments, &c.,

With the following engrossed amendment of the House, to-wit:

Amend by adding, "Approved December 24, 1858," after the word "same" in the last line but one of the first section,
Which was concurred in by the Senate.

The following message was taken up:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed engrossed Senate bill No. 86.

Senate bill No. 86. An act to amend sections eight and ten of an act providing for the election and qualifications of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852,

With the following engrossed amendments concurred in :

Amendment 1. Also, after the word "exceed" in line 21, insert "one hundred dollars."

Amendment 2. In the same line, and immediately preceding the word "two" and insert the words "and concurrent jurisdiction to the amount of."

Amendment 3. "But no justice shall have jurisdiction in any action of slander, for malicious prosecution, or breach of marriage contract, nor in any action wherein the title to lands shall come in question, or the justice be related by blood or marriage to either party."

And refuse to concur in the amendment to section second, line 16, by inserting the words "exclusive original" before the word "jurisdiction."

Mr. Williams moved that the Senate recede from its amendment.

The ayes and noes being demanded by Senators Claypool and Dickinson.

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Carnahan, Craven, Grubb, Hull, Johnston, Jones, Line, Lomax, March, Murray, Odell, Robinson, Shoemaker, Steele, Stone, Tarkington, Teegarden, Turner, Williams, and Wilson—23.

Those who voted in the negative were,

Messrs. Blair, Claypool, Cobb, Conner, Cravens, Culver, Dickinson, Ferguson, Mellett, Miller, and Studabaker—11.

So the motion to recede prevailed.

The following message was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Sen

ate that the House has passed Senate bill No. 169, with engrossed amendment of the title.

Senate Bill No. 169. A bill to amend the fourth and sixth sections of the act entitled an act for incorporation of manufacturing companies and companies for mechanical, chemical and building purposes, approved May 20, 1852, by providing that any companies which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitations of capital, may increase the same by a vote of its stockholders, in the same manner as provided in said section for increasing capital stock,

With the following engrossed amendment in the title :

“And providing for the election of directors and certain officers, and prescribing the manner of casting the votes in such election,”

In which the concurrence of the Senate is respectfully requested.

The question being, shall the Senate concur in the House amendment,

It was agreed to.

A message from the House, by Mr. Gordon, its Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed House engrossed bill No. 349, to-wit :

House bill No. 329. An act supplemental to an act entitled “an act to provide for the government and discipline of the State Prison, and to repeal an act to provide for the government and discipline of the State Prison,” approved March 3, 1855, and all other laws or parts of laws inconsistent herewith, approved February 5, 1857, providing that the directors of said Prison may work the convicts outside the walls of said Prison, under certain instructions, and providing punishment for any interference with the officers or convicts of said Prison, while so employed, and providing for the purchase of ground for a grave yard, for the enlargement of the female department of the Prison, and authorizing said directors to adjust and settle all matters in controversy with the contractors in said Prison, to make new contracts with said contractors, and repealing section eleven of an act entitled “an act to provide for the government and discipline of the State Prison, and to repeal an act entitled “an act to provide for the government and discipline of the State Prison, approved March 3, 1855, and all other laws or parts of laws inconsistent herewith, approved February 5, 1857.”

In which the concurrence of the Senate is respectfully requested.

Mr. Cobb moved to suspend the rules, and read the bill a first and second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Claypool, Cobb, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams, Wilson and Wolfe—40.

No Senator voting in the negative.

So the rules were suspended, and the bill read a first and second time by its title.

On motion by Mr. Cobb,
The bill was considered engrossed and was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Blair, Claypool, Cobb, Conner, Craven, Culver, DeHart, Grubb, Hamilton, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Newcomb, O'Brien, Odell, Robinson, Slack, Steele, Stone, Studabaker, Tarkington, Turner, White, Williams, Wilson and Wolfe—34.

No Senator voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Mellett introduced,

Senate joint resolution No. 19. A joint resolution rescinding the contract entered into on the 8th day of June, 1860, by and between the Board of Control to superintend the construction of the Prison north of the National Road, in the State of Indiana, and William H. Talbott and Francis Costigan, partners, under the style of Talbott & Co., for furnishing materials, and doing certain work towards the construction of said Prison.

Which was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Claypool, Conner, Craven, Cravens, Culver, Dickinson, Grubb, Hamilton, Hull, Jones, March, Mellet, Miller, Murray, Robinson, Stone, Teegarden, Turner, Wagner, White, Williams and Wilson—28.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Johnston, Landers, Lomax and Tarkington—6.

Messrs. Newcomb, Odell and Studabaker were present, but were excused from voting.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 135. A bill to amend section six of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes, in the State of Indiana, for the election of township officers, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852; so as to exempt from taxation real and personal property of widows, where the same does not exceed three hundred dollars in value.

Was read a third time.

Mr. Claypool moved to lay the bill and pending amendment on the table.

The ayes, and noes being demanded by Senators Miller and Johnston,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Claypool, Cobb, Ferguson, Grubb, Johnston, Jones, Line, Murray, Robinson, White and Wolfe—13.

Those who voted in the negative were,

Messrs. Bearss, Berry, Blair, Campbell, Carnahan, Cobb, Conner, Craven, Culver, Hamilton, Hull, Landers, Lomax, March, Miller, Newcomb, O'Brien, Odell, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Williams and Wolfe—28.

So the motion to lay on the table did not prevail.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Berry, Blair, Campbell, Carnahan, Cobb, Conner, Craven, Cravens, Culver, Dickinson, Hamilton, Hull, Landers, Lomax, March, Miller, Murray, Newcomb, O'Brien, Odell, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Williams and Wilson—30.

Those who voted in the negative were,

Messrs. Beeson, Claypool, Johnston, Jones, Line, White and Wolfe—7.

So the bill passed. .

Ordered, That the Secretary inform the House thereof.

House bill No. 269. A bill supplemental to an act passed March 3, 1855, entitled "An act to establish a bank with branches."
Was taken up.

Mr. Campbell moved to suspend the rules and read the bill a second time by its title.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Conner, Cravens, Culver, Dickinson, Ferguson, Hamilton, Hull, Johnston, Line, Murray, Newcomb, O'Brien, Odell, Steele, White, Williams and Wilson—23.

Those who voted in the negative were,

Messrs. Claypool, Cobb, Craven, Grubb, Lomax, March, Mellett, Miller, Ray, Stone, Studabaker, Teegarden and Wolfe—15.

So the rules were not suspended.

Mr. Williams from the Select Committee made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred House bill No. 188, a bill to provide for the organization of companies to build dams

across any stream to afford slackwater navigation, have had the same under consideration, and direct me to report the following amendments to the twelfth section, and when so amended recommend its passage.

Amendment. "And shall pay all damages to the owner of any mill or mills damaged by the erection of said dam across said stream, and all damages sustained by the owners of real estate, or to the inhabitants along the banks of any such stream, and the damages shall be assessed in the same manner as is provided for in article forty-one, chapter 1, volume two of the revised Statutes of 1852.

The report was concurred in, the amendments adopted, and the bill was read a third time.

Mr. March offered the following amendment:

This act may be amended or repealed by the Legislature, at any time, in its discretion,

Which was adopted.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Carnahan, Cobb, Conley, Conner, Dickinson, Grubb, Hamilton, Hull, Johnston, Line, Lomax, March, Miller, Newcomb, O'Brien, Odell, Ray, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, and Williams—30.

Those who voted in the negative were,

Messrs. Claypool, Craven, Culver, Jones, Landers, Robinson, White, and Wolfe—8.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 8. A bill providing for the allowance of compensation to clerks of the Circuit and Common Pleas Courts and sheriffs for extra services, and to repeal all laws inconsistent therewith, was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Carnahan, Claypool, Conley, Craven, Dickinson, Grubb, Hamilton, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Turner, White, Wilson, and Wolfe—31.

Those who voted in the negative were,

Messrs. Blair, Conner, Hull, and Newcomb—4.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Wagner, from a Committee on Free Conference, made the following report:

MR. PRESIDENT:

The Committee on Free Conference on the disagreement of the two Houses on House bill No. 336, a bill making general appropriations for the year 1861 and 1862, beg leave to make the following report:

That the Senate recede from the amendment which appropriated \$15,000 each year for the Prison North, and insert in the sum of \$25,000 for the year 1861 and a like sum for the year 1862, ten thousand of which shall each year be applied to purchase materials for continuing the work, or so much thereof as may be necessary to keep the prisoners at work upon said Prison.

D. C. BRANHAM, *Chairman Committee House.*

G. D. WAGNER, *Chairman Senate Committee.*

Which was concurred in by the Senate.

House bill No. 295. A bill to amend an act entitled "an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 9, 1857,

Was taken from the files and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Carnahan, Claypool, Conley, Conner, Craven, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Line, Miller, Murray, Newcomb, Odell, Ray, Robinson, Slack, Steele, Stone, Teegarden, Turner, White, and Wolfe—29.

Those who voted in the negative were,

Messrs. Cobb, Johnston, Landers, Lomax, March, and Williams—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House bill No. 322, being a bill to repeal section 389, an act entitled an act to provide for the incorporation of railroad companies, approved May 11, 1852, have considered the same, and have directed me to report the same back for the action of the Senate.

The report was concurred in.

Mr. Wagner, from the Committee on Free Conference, made the following report:

MR. PRESIDENT:

The Committee of Free Conference on the part of the two Houses, on the disagreement of the House to the Senate's engrossed amendment to House bill No. 348, a bill making specific appropriations for the year 1861, has had the same under consideration, and agreed upon the following report:

They recommend action upon said disagreement as follows:

The House to recede from its disagreement to Senate's amendment to section 54.

The House to recede from its disagreement to sections 5, 6, and 7, allowing four dollars per day to the Senate clerks; and recommend the allowance of four dollars per day to each of the House clerks named in the bill as passed by the House, except clerks of committees.

The Senate to recede from its amendments, designated as sections 13, 14, 15, 16, and 17, allowing four dollars per day to Doorkeepers

and assistants in the Senate, and insert three dollars per day in lieu thereof.

Also the Senate to recede from its amendment designated as sections 18, and strike out three dollars and insert two dollars and fifty cents per day, and amend bill by allowing pages of the House same per diem.

The Senate to recede from amendment designated as section 19, by striking out the whole of said section; also recede from amendment section 27, by allowing two dollars per day in lieu of three dollars.

Recede from amendment designated as section 44, by striking out "one hundred and twenty dollars," and inserting "ninety-one dollars and fifty cents."

And recommend an amendment to section 42 of bill by striking out "seventy cents" and inserting "one dollar and fifty cents," and strike out all after the word "office" in said section.

The House to recede from its disagreement to Senate amendment designated as section 46.

The Senate to recede from its amendment designated as section 53.

The House to recede from its disagreement to Senate amendment (section 59), and recommend the insertion after the word "Secretary," in the second line, the words "and the principal clerk of the House."

G. D. WAGNER, Ch. S. Com.

HORACE HEFFREN, Ch. H. Com.

The question being, shall the report of the committee be concurred in?

It was agreed to.

House bill No. 155. A bill fixing the time of holding the Circuit Courts in the thirteenth judicial circuit, regulating the length of the terms thereof, and repealing all laws inconsistent therewith,

Was taken up.

Mr. March moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Williams—40.

No Senator voting in the negative.

So the rules were suspended, and the bill read a second time by its title, and referred to a select committee consisting of Senators March, Studabaker, and Stone.

Mr. Blair, from the Committee on Finance, made the following report:

MR. PRESIDENT:

The Committee on Finance, to which was referred House bill No. 116, a bill to require the manufacturers and vendors of copyright medicines or prescriptions, commonly known as patent medicines, to label packages, bottles, or boxes, in which said medicines or prescriptions are contained, with the names and quantity of the various kind or kinds of medicines, articles, or ingredients composing such composition of medicines, and providing a penalty for the violation thereof, have had the same under consideration, and have directed me to report the same back without amendment, and recommend that it be now read a third time and passed.

The report was concurred in, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Carnahan, Conley, Conner, Cravens, Culver, Dickinson, Ferguson, Hamilton, Hull, Jones, Line, Lomax, Miller, O'Brien, and Stone—17.

Those who voted in the negative were,

Messrs. Claypool, Cobb, Craven, DeHart, Johnston, Landers, March, Mellett, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Studabaker, Tarkington, Teegarden, Turner, Williams, and Wolfe—21.

So the bill did not pass.

Mr. Hamilton offered the following resolution:

Resolved, That the thanks of the Senate be tendered to the Hon. John R. Cravens, for the prompt, dignified, and impartial manner in which he has presided over our deliberations during the present session.

Which,

On motion by Mr. Ray,
Was adopted.

House bill No. 114. A bill to amend the first section of an act entitled an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes, approved May 20, 1852, so as to provide for the incorporation of companies to furnish motive power to carry on such business, or to supply any city or village with water,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Campbell, Claypool, Cobb, Conley, Craven, Culver, Dickinson, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Miller, Murray, Ray, Shoemaker, Slack, Steele, Stone, Tarkington, Turner, Wagner, Williams and Wolfe—29.

Those who voted in the negative were,

Messrs. Conner, Newcomb, O'Brien, Odell and White—5.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the report of the Committee of Conference between the two Houses on

House bill No. 348. A bill making specific appropriations for the year 1861.

House bill No. 91. A bill to amend an act approved January 27, 1847, entitled "An act to amend an act to incorporate the Eel River Seminary Society," approved January 1, 1829; and for other purposes; to amend the second section of said act; to repeal the third, fifth and eighth sections; to clothe said society with additional powers, &c.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Campbell, Claypool, Cobb, Conner, Craven, DeHart, Dickinson, Grubb, Hamilton, Hull, Jones, Line, Lomax, March, Mellett, Miller, Murray, O'Brien, Odell, Shoemaker, Slack, Steele, Studabaker, Tarkington, Teegarden, Turner and White—28.

Those who voted in the negative were,

Messrs. Carnahan, Conley, Cravens, Newcomb, Robinson, and Stone—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Bearss offered the following preamble and resolution :

WHEREAS, The House has ordered printed the testimony taken before the Joint Committee on the Northern State Prison, therefore

Resolved, That five hundred copies be printed for the use of the Senate.

Which was agreed to.

House bill No. 159. A bill declaring it to be a misdemeanor to leave open gates, or let down fences, or destroy cattle guards, along the line of railroads, and providing the penalty therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Blair, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Hamilton, Hull, Johnston, Jones, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Shoemaker, Slack, Steele, Studabaker, Turner and White—29.

Those who voted in the negative were,

Messrs. Campbell, Conley, Lomax, Stone, Teegarden and Wolfe—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. March made the following report from a select committee :

MR. PRESIDENT:

The Select Committee, to whom was referred House bill No. 155, A bill fixing the time of holding the Circuit Court in the thirteenth judicial circuit, regulating the length of the terms thereof, and repealing all laws inconsistent therewith; have had the same under consideration, and direct me to report the same back and recommend its passage.

The report was concurred in and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Blair, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Grubb, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Odell, Ray, Robinson, Slack, Steele, Stone, Studabaker, Teegarden, Turner, White, Williams and Wolfe—33.

Senator Campbell voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 167. A bill concerning promissory notes, bills of exchange, bonds, or other instruments in writing, signed by any person who promises to pay money, acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Bearss, Beeson, Claypool, Cobb, Conner, Craven, Cravens, Dickinson, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Slack, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, White, Williams and Wolfe—33.

Messrs. Campbell and Landers voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Ray, from a Select Committee, made the following report :

MR. PRESIDENT :

The undersigned, member of the Eclectic Committee, composed of one lawyer, one doctor, one farmer and one preacher, to whom was referred Senate bill No. 253, introduced by the Senator from Greene, having had the same under consideration beg leave to report, that they have examined said bill with great anxiety and solicitude for the safety of paupers mentioned in the said bill. If all the doctors in each township be licensed by law to practice medicine, at the expense of the county, among paupers, unless a suitable number of undertakers be licensed at the same time to attend such physicians, at the expense of the county, with power to send for doctors and dead bodies, and that said licenses shall be negotiable as promissory notes and bills of exchange, and that each doctor, when so licensed, be declared a body corporate and politic, with perpetual succession, to them and their successors, the undertakers, with power to heal and be healed, to kill and be killed, to bury and be buried, forever, and when so amended they recommend its passage,

Which was concurred in.

Mr. Williams, from the same Select Committee, made the following report :

MR. PRESIDENT :

The undersigned, a minority of the Special Committee of farmers, doctors, lawyers and preachers, to whom was referred Senate bill No. 253, introduced by Mr. Conley, would beg leave to report that the Committee have had the same under consideration, and being unable to agree, the undersigned recommends that the bill be amended so as to provide that pauper physicians, who cannot make a living without a license, shall be licensed to take up their quarters at the county asylum as other paupers, and when the bill is so amended, the bill should pass.

WILLIAMS, *the Farmer.*

Which was concurred in.

Mr. Steele, from the same Select Committee, made the following report :

MR. PRESIDENT :

The undersigned, a minority of the Special Committee of doctors, lawyers, farmers and preachers, to whom was referred Senate bill No. 253, introduced by Mr. Conley, reports that said Committee have had the same under consideration, and being unable to agree, the undersigned would report, that said bill should be so amended as to

require that all physicians who are licensed according to the provisions of said bill shall be prohibited to practice on the root principle, especially on female paupers, and when so amended, that the bill pass.

STEELE, *the Doctor*.

Which was concurred in.

House bill No. 322. A bill to repeal section thirty-eight of an act entitled an act to provide for the incorporation of railroad companies, approved May 11, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Claypool, Cobb, Conner, Cravens, Dickinson, Grubb, Hull, Johnston, Jones, Mellett, Miller, O'Brien, Odell, Ray, Shoemaker, Steele, Studabaker, Tarkington, Teegarden, and Turner—22.

Those who voted in the negative were,

Messrs. Blair, Conley, Craven, DeHart, Ferguson, Landers, Line, Lomax, March, Murray, Newcomb, Robinson, Slack, Stone, White, Williams, and Wolfe—17.

So the bill failed.

Mr. Steele offered the following resolution:

Resolved, That the Select Committee, to whom was referred House bill No. 122, be required to return said bill to the Senate,

Which,

On motion by Mr. Conley,

Was laid on the table.

Message from the House:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill No. 342:

House bill No. 342. A bill to amend section 124 of an act entitled "an act to provide for the valuation and assessment of real and personal property, and for the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors and appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.

Mr. Tarkington moved to suspend the rules, and read the bill a first and second time by its title.

The ayes and noes being taken under the Constitution,

Those who voted in the affirmative were,

Messrs. Beeson, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Newcomb, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Williams—34.

Those who voted in the negative were,

Messrs. Culver and Hull—2.

So the rules were suspended, and the bill read a first and second time by its title.

The bill was then considered engrossed, and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Blair, Campbell, Carnahan, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, O'Brien, Odell, Ray, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White and Williams—32.

Senators Beeson and Robinson voting in the negative—2.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof, to-wit, No. 244: A bill to amend section one of an act entitled an act fixing the time of holding the Circuit Court in the twelfth judicial circuit, regulating the terms thereof, and repealing all laws inconsistent therewith, approved March 2, 1859.

In which the concurrence of the Senate is respectfully requested.

Mr. Culver moved to suspend the rules, and read the bill a first and second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conley, Conner, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, O'Brien, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White, and Williams—35.

No Senator voting in the negative.

So the rules were suspended, and the bill read a first and second time by its title.

The bill was then considered engrossed and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Hull, Johnston, Jones, Lomax, March, Mellett, Miller, O'Brien, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Williams—33.

Senator Landers voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 139. A bill to enlarge the legal capacity of married women whose husbands are insane, and to enable them to contract as if they were unmarried,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Berry, Campbell, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Hull, Johnston, Jones, Line, Lo-

max, March, Mellett, O'Brien, Odell, Ray, Steele, Stone, Studabaker, Turner, Wagner, White, and Williams—27.

Those who voted in the negative were,

Messrs. Carnahan, Ferguson, Landers, Miller, Robinson, and Teegarden—6.

Mr. Bearss present, but not voting.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

Mr. Craven, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 115, a bill to amend an act entitled an act supplemental to an act entitled an act to exempt property from sale in certain cases, approved February 17, 1852, approved March 5, 1859, and to provide for the making out of a schedule by the wife in the absence of the execution-defendant, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The report was concurred in, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beeson, Campbell, Claypool, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Odell, Robinson, Steele, Stone, Studabaker, Turner, Wagner, and White—28.

Those who voted in the negative were,

Messrs. Anthony, Carnahan, Landers, Shoemaker, Slack, and Wolfe—6.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

House bill No. 185. A bill to provide for the several districts of the Court of Common Pleas of the State of Indiana,
Was taken up.

Mr. Miller moved to suspend the rules, and read the bill a second time by its title.

The ayes and noes being taken under the constitution,

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, Culver, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, March, Mellett, Miller, Newcomb, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, and Williams—35.

Those who voted in the negative were,

Messrs. Cobb, Landers, Lomax, Slack, and Wolfe—5.

So the rules were suspended, and the bill read a second time by its title.

The bill was then considered engrossed and read a third time.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Steele, Stone, Studabaker, Tarkington, Teegarden, Turner, Wagner, White, Williams, and Wolfe—39.

Mr. Landers voting in the negative.

So the bill passed.

Ordered, That the Secretary inform the House thereof.

A message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed joint resolution No. 35 thereof.

House joint resolution No. 35. A joint resolution directing and requiring the Attorney General to bring suit upon the official bonds,

or otherwise against the State officers for fees and perquisites by them collected, and not paid into the State treasury as required by law.

In which the concurrence of the Senate is respectfully requested.

House joint resolution No. 35, contained in the foregoing message, was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Campbell, Carnahan, Claypool, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Grubb, Hull, Johnston, Jones, Line, March, Mellett, Miller, Murray, Newcomb, Odell, Ray, Robinson, Steele, Stone, Teegarden, Turner, Wagner, White and Wolfe—32.

Those who voted in the negative were,

Messrs. Landers, Lomax, Studabaker and Williams—4.

Senator Bearss was present, but refused to vote.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

House joint resolution No. 32. A joint resolution instructing our Senators, and requesting our Representatives in Congress to endeavor to procure an appropriation for the improvement of the harbor of Michigan City.

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Anthony, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conner, Craven, Cravens, DeHart, Dickinson, Ferguson, Hull, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, Odell, Robinson, Steele, Stone, Teegarden, Wagner, White and Williams—30.

Those who voted in the negative were,

Messrs. Johnston, Jones, Landers, Studabaker and Wolfe—5.

Messrs. Ray and Shoemaker present, but not voting.

So the joint resolution passed.

Ordered, That the Secretary inform the House thereof.

Mr. March, from the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 52. A bill to authorize justices of the peace to administer any oath required by law ; have had the same under consideration, and direct me to report the same back, and recommend that it lie upon the table, as a bill has passed both Houses, embracing the same subject, also legalizing the oaths of justices heretofore administered.

Which was concurred in.

Mr. March, Chairman of the Committee on the Judiciary, made the following report :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred House bill No. 46. A bill, the acts and proceedings of certain special terms of the Circuit Court ; have had the same under consideration, and direct me to report the same back, and recommend that it lie on the table, as another bill has already passed both Houses, embracing the same subject.

Which was concurred in.

Mr. Johnston, from the Committee on Claims, made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the petition of William M. Smith and Addison M. Davis, praying that an allowance be made them out of the State treasury for money and time expended in the arresting and bringing to justice one William H. Smith, charged with murder, in the county of Fayette, State of Indiana, have had the same under consideration, and have directed me to report, that in the opinion of the committee such claims ought not to be allowed out of the State treasury ; and that such claims should be presented to the county boards, who have all the means of ascertaining the justice of such claims, and may at their discretion allow the

same; and that the committee report the claim back, and recommend that it lie on the table.

Which was concurred in.

Mr. Johnston, from a Select Committee, made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred House bill No. 122, a bill to organize a judicial district, composed of the counties of Vermillion, Parke and Putnam, providing for the appointment and election of a judge and district attorney therefor, fixing the time of commencement and duration of the term thereof, making all writs, subpoenas, venires, rules and orders of court reports, recognizances, publication and processes whatever returnable thereto, and declaring when and how the same shall take effect; have had the same under consideration, and have directed me to report the same back, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House bill No. 69, a bill to amend an act providing for serving process upon officers, directors, attorneys or agents of any railroad company, approved March 4, 1853; have had the same under consideration, and have directed me to report the same back, and recommend that it lie upon the table, for the reason that no legislation is necessary on the subject.

Which was concurred in.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 166, have had the same under consideration, and direct me to report the same back and recommend its passage.

Which was concurred in.

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the following report of the Free Conference Committee, to-wit:

The Committee of Free Conference on the disagreement of the two Houses on House bill No. 336, a bill making general appropriations for 1861 and 1862, beg leave to make the following report:

That the Senate recede from their amendments which appropriated \$15,000 each year for the Prison North, and insert the sum of \$25,000 for the year 1861, and a like sum for 1862, \$10,000 of which for each year be applied to purchase materials for continuing the work, or so much thereof as may be necessary to keep the prisoners at work on said Prison.

G. D. WAGNER, *Chairman Senate Committee.*

D. C. BRANHAM, *Chairman House Committee.*

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate joint resolution, the title whereof is, to-wit: A joint resolution rescinding the contract entered into on the 8th day of June, 1860, by and between the Board of Control to superintend the construction of a Prison North of the National Road in the State of Indiana, and Wm. H. Talbott and Francis Costigan, partners under the style of W. H. Talbott & Co. for furnishing materials and doing certain work toward the construction of said Prison.

A message from the House by Mr. Gordon, its Clerk:

MR. PRESIDENT:

The Committee on Enrolled Bills, to whom was referred Senate bill No. 45, a bill to amend the third section of "an act to provide for the election of a Reporter and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 5, 1852," and also to amend section one of "an act to amend the fifth and sixth sections of an act entitled an act to provide for the election of a Reporter and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 28, 1855," after having compared the engrossed with the enrolled copy thereof, find the same to be correct.

A message from the House, by Mr. Gordon, its Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 185, with the following House engrossed amendment, to-wit:

Senate bill No. 185. An act to amend the eighth section of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when the same should take effect, and repealing all laws inconsistent therewith, approved March 5, 1859,

With the following engrossed amendments:

Amend by striking out "four weeks" and inserting "three weeks" for the terms of the Court of Shelby county.

Amend further by striking out all that relates to publication.

Amend further by fixing commencement of terms in Brown county on the fourth Monday in March, July, and November, and in Monroe on the first Monday of April, August, and December,

In which the concurrence of the Senate is respectfully requested.

The engrossed amendments of the House were concurred in by the Senate.

Messages from the House, by Mr. Gordon, Clerk thereof.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 277, without amendment:

Senate bill No. 277. An act to amend section fifty-four and sixty-six of an act entitled "an act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the Ohio and Wabash rivers, approved June 7, 1852, and defining the boundaries of Morgan and Putnam.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed Senate amendments to House bill No 188, which reads as follows, to-wit: A bill to provide for the organization of companies to build dams across any stream to afford slackwater navigation.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed Senate bill No. 279, without amendment.

Senate bill 279. A bill accepting the surrender of a contract by William H. Talbott and Francis Costigan for the construction of the Northern State Prison, and the rights and property therein mentioned, and to appropriate the sum of \$13,574 27, to pay said Talbott and Costigan the amount due them, according to estimate for work under said contract.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Senate bill No. 45, without amendment: A bill to amend the third section of an act to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 5, 1853, and also, to amend section one of an act to amend the fifth and sixth sections of an act entitled "an act to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such Reporter, approved February 28, 1855."

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the amendments of the Senate to House bill No. 135, which are as follows:

First. Amend the fifth clause by adding in the fourth line after the word "institution" the words "by any individual or individuals or associations."

Second. Amend the seventh clause by adding, "such real estate not to exceed one hundred and sixty acres."

Third. Amend further by striking out the eighth clause.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed Senate amendment to House bill No. 199, which reads as follows, to-wit:

Add the following section:

SECTION —. This act may be amended or repealed at any time, in the discretion of the Legislature.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to House bill No. 167, which is as follows, to-wit:

Amend section sixteen by striking out the words "or other instrument in writing."

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate bill, without amendment, to-wit: bill No. 164, an act to authorize administrators and executors to administer oaths to appraisers and clerks, who may be employed in connection with decedents' estates.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, to-wit:

Senate bill No. 142. A bill to authorize the trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its cabinet and library, and directing the State Librarian to transfer certain documents and books herein named to the library of the State University, also making the State Geologist a member of the Faculty of the University, and requiring him to deposit specimens of mineralogy and geology in the cabinet of the same.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures, enrolled House bills Nos. 8 and 349.

The President and Secretary signed the bills.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the

President and Secretary of the Senate, for their signatures, enrolled House bill Nos. 86 and 348.

The President and Secretary signed the bill.

Mr. Berry, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills have carefully compared the enrolled with the engrossed copies of the following Senate bills, and find the same to be correctly enrolled:

Senate bill No. 153. A bill for the relief of Catherine Whitley, to vest in her certain real estate recently held by John Lindsley, late of Vanderburg county, Indiana, deceased, which has escheated to the State.

Senate bill No. 260. A bill releasing to William Rockhill all the right, title, interest, and claim of the State of Indiana to the tract of land in the county of Allen, in the State of Indiana, as described in the conveyance executed by the said Rockhill to said State, and to declare such conveyance null and void.

Senate bill No. 185. An act to amend the eighth section of an act entitled "an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms and declaring when the same should take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.

Senate bill No. 217. A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and repealing all laws in conflict therewith.

Senate bill No. 57. An act to amend the first section of an act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real estate, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852, and to legalize the actions of boards of county commissioners in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate taking effect of this act.

Senate bill No. 171. An act to repeal an act entitled an act to provide for the return of the jury in the Common Pleas Courts, at the third day of the term, approved March 5, 1859, and to authorize the judges of the Courts of Common Pleas to fix the order of business in such Court, and the day on which the jury shall be summoned to appear in such Court, approved March 5, 1859.

Senate bill No. 177. An act to amend the fifth section of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, duration of the terms thereof, and making all process of the present Common Pleas Courts returnable to such terms, and directing when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859.

Senate bill No. 19. An act to amend the third section of an act entitled "An act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalties for the violation of this act." Approved February 26th, 1859.

Senate bill No. 136. An act to amend section sixth of an act entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties, approved June 17, 1852, which latter act was approved February 16, 1859.

Senate bill No. 73. A bill to amend an act entitled "An act to authorize county agricultural societies to purchase and hold real estate, approved February 7, 1855; and to legalize purchases heretofore made.

Senate bill No. 121. An act supplemental to an act to authorize and regulate the business of general banking, approved March 3, 1855; and to authorize the Auditor and Treasurer of State to surrender the securities and monies deposited, and to declare and pay out a dividend in certain cases. Also,

Senate bill No. 70. A bill for the relief of Lot Edwards.

Mr. Berry, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills respectfully report that they have compared the enrolled with the engrossed copy of

Senate bill No. 52. A bill to amend section 352 of an act to re-

wise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice, in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852; and find the same correctly enrolled.

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate bill No. 86, after examination of the enrolled copy with the original bill, hereby return said bill, and report the same correctly enrolled.

MR. PRESIDENT :

The Committee on Enrolled Bills would respectfully report that they have carefully compared the enrolled with the engrossed copy of

Senate bill No. 117. A bill to authorize and require clerks of the Circuit Court and Court of Common Pleas to enter satisfaction of certain mortgages foreclosed in such Courts, and providing compensation therefor; and find the same correctly enrolled.

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate bill No. 25, have compared the enrolled copy with the engrossed bill, and find the same correctly enrolled.

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate bill No. 98, have compared the enrolled copy with the original bill, and find the same correctly enrolled.

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate bill No. 11, have carefully compared the enrolled copy thereof, with the original bill, and find the same correctly enrolled.

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate bill No. 36, have examined the enrolled copy thereof with the original bill, and find the same correctly enrolled.

MR. PRESIDENT:

The Committee on Enrolled Bills, to whom was referred Senate bill No. 20, have examined and compared the enrolled bill with the engrossed copy thereof, and find the same correctly enrolled.

MR. PRESIDENT:

The Committee on Enrolled bills, to whom was referred Senate bill No. 77, have had the same under consideration, and after comparing said enrolled copy with the engrossed bill, report the same correctly enrolled.

MR. PRESIDENT:

The Committee on Enrolled Bills have carefully compared the enrolled with the engrossed copies of the following Senate bills, and find the same correctly enrolled:

Senate bill No. 18. A bill to amend section three hundred and fifteen of an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts in this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June 18, 1852. Also,

Senate bill No. 79. A bill to amend section four of an act entitled an act to provide for the protection of wild game, defining the time when the same may be taken or killed, and declaring the penalties for the violation of this act, approved February 26, 1857.

MR. PRESIDENT:

I am directed by the Committee on Enrolled Bills to report to the Senate that they have carefully compared the enrolled with the engrossed copies of the following bills, and find them correctly enrolled.

Senate bill No. 175. A bill to amend section forty-two of an act entitled "an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof, and the act amendatory thereto, approved March 5, 1857.

Senate bill No. 49. A bill to provide for struck juries in the Circuit and Common Pleas Courts.

Senate bill No. 138. A bill to amend the second section of an act
S. J.—62.

entitled an act to amend sections two hundred and seven and two hundred and eight of an act to revise, simplify and abridge the rules, practice and pleadings, and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved January 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1859.

Senate bill No. 93. An act to amend section seven of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith" approved March 5, 1859, so as to change the times of holding said Courts in Jackson and Bartholomew counties, and declaring when this act shall take effect."

Messages from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 93, without amendment:

Senate bill No. 93. A bill to amend section seven of an act entitled an act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and make all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, so as to change the times of holding said courts in Jackson and Bartholomew counties, and declaring when this act shall take effect.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 138, without amendment, an act entitled an act to amend the second section of an act entitled an act to amend the two hundred and seventh and two hundred and eighth sections of an act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved January 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1859.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bill No. 73.

Senate bill No. 73. A bill to amend an act to authorize county agricultural societies to purchase and hold real estate, approved Feb. 7, 1855; and to legalize purchases heretofore made.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed Senate bills Nos. 260 and 70, without amendment.

Senate bill No. 260. A bill releasing all the rights, titles and claim of the State of Indiana in and to the — quarter of section No. —, in township No. 30, north of range No. 12 east, situate in Allen county, to William Rockhill.

Senate bill No. 70. A bill for the relief of Lot Edwards.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following Senate bill No. 153, without amendment :

Senate bill No. 153. An act for the relief of Catharine P. Whitley, to vest in her certain real estate recently held by John Lindsley, late of Vanderburgh county, Indiana, which has escheated to the State.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate, without amendment :

Senate bill No. 121. A bill supplemental to an act to authorize and regulate general banking business, approved March 3, 1855; and to authorize the Treasurer to surrender the securities and moneys deposited, and to declare and pay out a further dividend in certain cases.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in Senate engrossed amendment to House bill No. 64.

SEC. 3. This act shall apply to and include the non-resident and alien heirs and devisees of any residents of this State, who shall have died before the passage of this act, and such aliens and heirs may, during the period of eight years, from and after passage of this act, hold, alien, sell and convey in fee simple any such real estate, in the same manner as they could do had their ancestors or devisors departed this life subsequent to the passage of this act; *Provided*, the estate is not already vested in resident heirs.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that Messrs. Branham, Heffren, Burgess, are appointed a committee on the part of the House to confer with Senate committee upon the disagreement of the two Houses upon Senate engrossed amendments to House bill No. 348, a bill making specific appropriations for the year 1861.

MR. PRESIDENT :

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures House enrolled bills Nos. 325, 317 and 15.

The President and Secretary signed the bills.

I am directed by the House of Representatives to inform the Senate that the Speaker of the House and Clerk have signed enrolled House bills Nos. 44, 186, 106 and 294; and to request the President and Secretary of the Senate to sign the same.

The President and Secretary signed the bills.

MR. PRESIDENT :

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures House enrolled bills Nos. 64, 77, 296 and 326.

The President and Secretary signed the bills.

MR. PRESIDENT :

I am directed by the House of Representatives to present to the President and Secretary of the Senate for their signatures enrolled House bills Nos. 81, 82, 100, 346.

The President and Secretary signed the bills.

Message from the Governor, by Mr. Holloway, his Private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has approved and signed

Senate bill No. 86. An act to amend the third, fourth, sixth, seventh and forty-ninth sections of an act entitled "An act to amend an act to authorize and regulate the business of general banking, passed March 3, 1855. Also,

Senate bill No. 117. A bill to authorize and require clerks of Circuit and Common Pleas Courts to enter satisfaction of certain mortgages, foreclosed in such Courts, and providing compensation therefor. Also,

Senate bill No. 36. A bill to amend section forty-nine of an act entitled "an act to provide for the opening, vacating, and change of highways," approved June 17, 1852. Also,

Senate bill No. 11. A bill to amend section one hundred and fifty-seven of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved June 21, 1852. Also,

Senate bill No. 98. A bill to amend the thirteenth and fourteenth sections of an act entitled "an act providing for the elections and qualifications of justices of the peace, and defining their jurisdiction, powers, and duties in civil cases, approved June 9, 1852. Also,

Senate bill No. 25. A bill authorizing justices of the peace, notaries public, and mayors of towns and cities, and clerks of Circuit and Common Pleas Courts, to administer oaths generally, and county auditors in certain cases, and to legalize such as may heretofore have been administered by any of said officers. Also,

Senate bill No. 77. A bill to amend the thirty-third section of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice, in a uniform mode of pleading and practice, without distinction between law and equity." Approved June 18, 1852. Also,

Senate bill No. 52. An act to amend section three hundred and fifty-two of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852. Also,

Senate bill No. 79. An act to amend section four of an act entitled "an act to provide for the protection of wild game, defining the time when the same may be taken or killed, and declaring the penalties for the violation of this act," approved February 26, 1857. Also,

Senate bill No. 18. An act to amend section three hundred and fifteen of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, and to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852. Also,

Senate bill No. 175. An act to amend section forty-two of an act entitled an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof, approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof, and for the act amendatory thereto, approved March 5, 1859, and has caused the same to be filed in the office of Secretary of State.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed House bill No. 114, an act for the relief of borrowers of the sinking fund, and to repeal the fourth section and so much as applies to the sinking fund, of the whole act entitled an act to extend to borrowers of the sinking fund, surplus revenue fund, congressional school fund, and other funds, time of payment of loans, and prescribing the duties of the officers in regard thereto, approved March 3, 1859, and prescribing how mortgages may be substituted,

and containing some provisions respecting the sinking fund and its control and management, and matters properly connected therewith, and has caused the same to be filed in the office of the Secretary of State.

A message from the Governor by Mr. Holloway, his private secretary.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bills No. 49, 93, 177, 171, 57, 19, 136, 73, 70, and has caused the same to be filed in the office of the Secretary of State.

Senate bill No. 49. An act to provide for struck juries in the Circuit and Common Pleas Courts.

Also an act to amend section seven of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, so as to change the times of holding said Courts in Jackson and Bartholomew counties, and declaring when this act shall take effect. Also,

Senate bill No. 138. A bill to amend the second section of an act entitled an act to amend the two hundred and seventh and the two hundred and eighth section of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1859. Also,

Senate bill No. 177. An act to amend the fifth section of an act entitled "an act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the term thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859. Also,

Senate bill No. 171. An act to repeal an act entitled an act to provide for the return of the jury in the Common Pleas Court at the third day of the term, approved March 5, 1859, and to authorize the

judges of the Court of Common Pleas to fix the order of business in such Court, and the day on which the jury shall be summoned to appear in such court, approved March 5, 1859. Also,

Senate bill No. 57. An act to amend the first section of "an act to provide for the valuation and appraisement of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real estate, county treasurers and auditors, and the Treasurer and Auditor of State, approved June 21, 1852, and to legalize the actions of boards of county commissioners in regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate taking effect of this act. Also,

Senate bill No. 19. An act to amend the third section of an act entitled an act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, approved February 26, 1857. Also,

Senate bill No. 136. An act to amend an act entitled "an act to amend the sixth section of an act providing for the organization of county boards, and prescribing some of their powers and duties, approved June 17, 1852, which latter act was approved February 16, 1859. Also,

Senate bill No. 73. An act to amend the act entitled "an act authorizing county agricultural societies to purchase and hold real estate, approved February 7, 1855. Also,

Senate bill No. 70. An act for the relief of Lot Edwards.

Message from the House.

MR. PRESIDENT:

I am directed by the House of Representatives to present to the President and Secretary of the Senate enrolled House bills Nos. 295, 91, 139, 167, 115, 199, 244, 188, 114, 135, 159, 342, 185, 155, 348, 336, and joint resolutions Nos. 32 and 35.

The President and Secretary signed the bills.

On motion by Mr. Johnston.

The Senate adjourned.

MONDAY MORNING, 9 o'CLOCK, }
 March 11, 1861. }

The Senate met.

By unanimous consent, the reading of the Journal of Saturday was dispensed with.

Mr. Murray offered the following resolution :

Resolved, That the Principal Secretary and his assistants, the Assistant Secretary and his assistants, the Door-Keeper and his assistants, together with all other employes of the Senate merit and are hereby tendered our thanks for the faithful and creditable manner in which they have discharged their several duties,
 Which was unanimously agreed to.

Mr. Murray offered the following resolution :

Resolved, That the Finance Committee be and they are hereby instructed to report a joint resolution restricting the directors of the Northern State Prison in regard to the letting of contracts in the construction of said Prison, and in the use of the appropriations made by this Legislature for that and other purposes,
 Which was agreed to.

On motion by Mr. Studabaker,

Resolved, That the Secretary of State be and is hereby directed to cause to be bound in sheep binding one copy of the Senate Journal, and one copy of the Documentary Journal for each member of the Senate.

Mr. Miller offered the following as a substitute :

Resolved, That the Secretary of State procure and send to each member of the Senate, and to the officers and reporters thereof, two copies of the Legislative Brevier Reports, also, two copies each of the Senate, House and Documentary Journals, and two copies of the acts of the present session, all to be bound in full sheep,
 Which was adopted.

A message from the Governor, by Mr. Holloway, his private Secretary.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed Senate bills No. 217, 153, 185, 260, 121, 277, 169, 164, 45, 187, 279, and has caused the same to be filed in the office of the Secretary of State.

Senate bill No. 217. An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries, and repeal all laws in conflict therewith. Also,

Senate bill No. 153. An act for the relief of Catherine P. Whittlesey, and to vest in her certain real estate recently held by John Lindsley, late of Vanderburg county, Indiana, deceased, which has escheated to the State. Also,

Senate bill No. 185. An act to amend the eighth section of an act entitled "an act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when the same shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859. Also,

Senate bill No. 260. A bill releasing to William Rockhill all the right, title, interest, and claim of the State of Indiana to the tract of land in Allen county, in the State of Indiana, as described in the conveyance, executed by the said Rockhill to said State, and to declare such conveyance null and void. Also,

Senate bill No. 121. An act supplementary to an act to authorize and regulate the business of general banking, approved March 3, 1855, and to authorize the Auditor and Treasurer of State to surrender the securities and moneys deposited, and to declare and pay out a further dividend in certain cases. Also,

Senate bill No. 277. An act to amend fifty-four and sixty-six of an act entitled an act dividing the State into counties, defining their boundaries, and defining their jurisdiction of such as border on the Ohio and Wabash rivers, approved June 17, 1852, and defining the boundaries of the counties of Morgan and Putnam. Also,

Senate bill No. 169. A bill to amend the fourth and sixth sections of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes, approved May 20, 1852, by providing that any companies

which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders in the same manner as is provided in said section for increasing capital stock, and providing for election of directors and certain officers, and prescribing the manner of casting the votes in such elections. Also,

House bill No. 115. An act to amend an act entitled an act supplementary to an act entitled an act to exempt property from sale in certain cases, approved February 17, 1852, approved March 5, 1859, and to provide for the making out of a schedule.

Senate bill No. 164. An act to authorize administrators and executors to administer oaths to appraisers and clerks who may be employed in connection with decedents.

Mr. Cravens, chairman of the Committee on Federal Relations, returned to the Senate numerous petitions, memorials, resolutions, &c., which had been referred to said committee.

Mr. Blair presented a memorial from sundry citizens of the State of Indiana, representing that they had signed petitions in favor of the Crittenden amendment, under a misapprehension of their real meaning.

Mr. Ray moved that the memorial be referred to a select committee, who should sit during the recess of the General Assembly.

Mr. Stone moved to amend by referring the memorial to a committee of the whole Senate.

The motions being decided to be out of order by the Chair,

The memorial was referred (under the rule) to the Committee on Federal Relations.

Mr. Williams, from the Committee on Apportionment for Senators and Representatives in the General Assembly, made the following report:

MR. PRESIDENT:

The select committee on apportionment, to whom was referred Senate bills No. 21 and No. 125, bills to apportion Senators and Representatives for the next six years, have failed to agree upon any bill, I therefore make the following report on my own hook:

Strike out both bills, and insert, in lieu thereof, the following bill, and recommend its passage:

Senate bill No. 280. An act to apportion Senators and Representatives for the next six years.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That for the purpose of electing Senators of the said State, the same shall be, and is hereby divided into fifty districts, and that each be entitled to one Senator as follows, to-wit:

Vanderburgh and Posey, one.
 Knox and Daviess, one.
 Warrick and Spencer, one.
 Gibson and Pike, one.
 Perry, Dubois and Crawford, one.
 Martin, Lawrence and Orange, one.
 Washington and Harrison, one.
 Floyd, one.
 Clark and Scott, one.
 Jefferson, one.
 Ohio and Switzerland, one.
 Dearborn, one.
 Franklin, one.
 Jackson and Jennings, one.
 Monroe and Brown, one.
 Greene and Owen, one.
 Sullivan and Vigo, one.
 Clay and Putnam, one.
 Morgan and Johnson, one.
 Bartholomew, one.
 Ripley, one.
 Decatur, one.
 Rush, one.
 Fayette and Union, one.
 Wayne, one.
 Henry, one.
 Shelby and Hancock, one.
 Marion, one.
 Boone and Hendricks, one.
 Montgomery, one.
 Park, Vermillion and Fountain, one.
 Tippecanoe, one.
 Warren, Benton and White, one.
 Carroll and Clinton, one.
 Madison and Grant, one.
 Delaware, one.
 Randolph, one.
 Adams, Jay and Blackford, one.
 Huntington, Whitley and Wells, one.
 Miami and Wabash, one.
 Cass and Howard, one

St. Joseph and Marshall, one.
 Elkhart, one.
 Lake, Porter, Pulaski, Newton and Jasper, one.
 Laporte and Starke, one.
 Kosciusko and Fulton, one.
 Noble and Lagrange, one.
 Steuben and DeKalb, one.
 Allen, one.
 Hamilton and Tipton, one.

SEC. 2. That the House of Representatives shall be composed of one hundred members, which shall be, and are hereby apportioned among the several counties of this State as follows, to-wit:

Posey, one.
 Vanderburgh, one.
 Vanderburgh and Posey, jointly, one.
 Gibson, one.
 Pike, one.
 Knox, one.
 Daviess, one.
 Warrick, one.
 Spencer, one.
 Perry, one.
 Dubois, one.
 Crawford, one.
 Martin, one.
 Lawrence, one.
 Orange, one.
 Washington, one.
 Harrison, one.
 Washington and Harrison, jointly, one.
 Floyd, one.
 Clark, one.
 Scott, one.
 Jefferson, two.
 Ohio and Switzerland, one.
 Dearborn, two.
 Franklin, one.
 Jackson, one.
 Jennings, one.
 Monroe and Brown, jointly, one.
 Greene, one.
 Owen, one.
 Sullivan, one.
 Vigo, two.
 Clay, one.
 Putnam, two.

Morgon, one.
 Johnson, one.
 Bartholomew, one.
 Ripley, one.
 Decatur, one.
 Rush, one.
 Fayette and Union, one.
 Wayne, one.
 Henry, one.
 Shelby, one.
 Hancock, one.
 Shelby and Hancock, jointly, one.
 Marion, three.
 Boone, one.
 Hendricks, one.
 Boone and Hendricks, jointly, one.
 Montgomery, one.
 Parke, one.
 Vermillion, one.
 Fountain, one.
 Tippecanoe, two.
 Warren, one.
 Carrol, one.
 Clinton, one.
 Madison, one.
 Grant, one.
 Madison and Grant, jointly, one.
 Delaware, one.
 Randolph, one.
 Adams, one.
 Blackford and Jay, one.
 Huntington, one.
 Whitley, one.
 Wells, one.
 Miami, one.
 Wabash, one.
 Miami and Wabash, jointly, one.
 Cass, one.
 Howard, one.
 Fulton, one.
 Marshall and Starke, one.
 St. Joseph, one.
 Elkhart, one.
 Lake, one.
 Porter, one.
 Newton, Jasper and Pulaski, one.
 Laporte, two.
 Kosciusko, one.
 Noble, one.

Lagrange, one.
 Steuben, one.
 DeKalb, one.
 Allen, two.
 Benton and White, jointly, one.
 Hamilton, one.
 Tipton, one.

The report was concurred in, and Senate bill No. 280 therein contained was read a first time.

On motion by Mr. Claypool,

Resolved, That five thousand copies of the report of the Committee on State Prisons, with the evidence taken, be printed for the use of the Senate, and when printed, that the Librarian be instructed to hold one-fiftieth part thereof subject to the order of each Senator, and that the clerk of said committee shall deposit with the Assistant Secretary of the Senate, the books and papers, with the evidence taken before said committee.

Mr. Steele, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred Senate bill No. 257, a bill to amend section second of an act entitled an act to provide for a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys, have had the same under consideration, and instruct me to report it back, and recommend it being laid on the table,

Which was concurred in.

Mr. Wolfe, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 258, have had the same under consideration, and direct me to report the same back, and recommend that it lie on the table for want of time for the Senate to act on the same,

Which was concurred in.

Mr. Wolfe, from the Judiciary Committee, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 254, a bill to provide for taking the enumeration of the white male inhabitants of the State of Indiana, over the age of twenty-one years, and defining the duties of certain officers in relation thereto, have had the same under consideration, and have directed me to report the same back, and recommend the same lie on the table for want of time to act on the same,

Which was concurred in.

Mr. Craven, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 272, a bill to enable county commissioners to remove county seats in certain cases, have had the same under consideration, and have recommended me to report the same back and recommend its passage,

Which was concurred in.

Mr. March, Chairman of the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 211, have had the same under consideration, and directed me to report the same back and recommend that it lie on the table, as a bill has already passed both Houses embracing the same subject; also, to report back Senate bills Nos. 95, 78, 161, 181, 205, 229 and 256, and recommend that they lie on the table,

Which report was concurred in.

Mr. Steele, from the Committee on Banks, made the following report:

MR. PRESIDENT:

The Committee on Banks, to whom was referred Senate bill No. 143, a bill to authorize the Bank of the State of Indiana to lay off and create five additional Bank districts, and to locate and establish branches therein, have directed me to report it back, and recommend that it lie on the table,

Which was concurred in.

The President laid before the Senate the report of the State Li-

brarian respecting stationary furnished to Senators and officers of the Senate,

Which was ordered to be placed on file.

On motion by Mr. Wagner,

The Secretary and Assistant Secretary of the Senate were instructed to certify to the Auditor of State, that an allowance of one hundred and eighty-three dollars for sixty-one days' service as messenger of the Senate, was made in the specific appropriation bill for 1861, to Charles W. Cochran, which amendment was omitted in the enrolled act, and that the Clerks be directed to cause enrollment of the same, in accordance with the Journal.

Mr. Craven, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred House bill No. 107, a bill to amend an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, &c., have had the same under consideration, and have recommended me to report the same back to the Senate, and recommend that it lie on the table.

Which was concurred in.

Mr. Miller offered the following resolution:

Resolved unanimously, That the members of this Senate will testify their respect for the memory of Rufus Brown, deceased, late a member of this body, representing the counties of Marshall and St. Joseph, by wearing crape on the left arm for one month.

Mr. Campbell offered the following resolution:

Resolved unanimously, That the members of this Senate will testify their respect for the memory of the Hon. Isaac A. Rice, deceased, late a member of this body, representing the county of Fountain, by wearing crape on the left arm for one month.

Mr. Williams offered the following additional resolution:

Resolved, That a copy of the above resolutions be forwarded to the relatives of the deceased Senators.

The Senate was appropriately addressed by Senators Miller, Ray, S. J.—63.

Campbell, Steele, and Hamilton, in support thereof, and the resolutions were unanimously adopted.

A message from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following engrossed joint resolution, to-wit:

House joint resolution No. 38. A joint resolution authorizing the Treasurer of State, upon the warrant of the Auditor of State, to pay a lost certificate for ditching swamp lands in Boone county, to Clark Duval and Nelson Fordyce.

In which the concurrence of the Senate is respectfully requested.

Mr. Blair moved to amend the title and resolution by making it a concurrent resolution,

Which was agreed to.

The resolution as amended was then concurred in by the Senate.

On motion by Mr. March,

Resolved, That the Doorkeeper be directed to return to the State Library all the copies of the Revised Statutes, acts of the Legislature, Journals of the Houses, and all other valuable books that have been used by Senators in the discharge of their official duties.

Mr. Blair moved that a committee of two on the part of the Senate be appointed to act with a similar committee on the part of the House, to wait upon the Governor, and ascertain if he had any further communication to make to the General Assembly.

Which was agreed to, and

The President appointed Senators Blair and Odell said committee on the part of the Senate.

Mr. March, from the Committee on the Judiciary, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 189, have had the same under consideration, and have directed me to report the same back, and recommend that it lie on the table.

Which was concurred in.

On motion by Mr. Tarkington,

Resolved, That the Secretary of State have the annual reports of the Auditor and Treasurer of State for 1857, 1858, 1859, and 1860, bound together in half binding (or sheep) for each member of the Senate, and forward the same with the laws and journals of this session.

The Senate took up the following House message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following joint resolution, to-wit:

House joint resolution No. 39. A joint resolution requesting the Congress to call a convention to amend the constitution of the United States.

On motion by Mr. ———,

The joint resolution was amended so as to make it a concurrent resolution.

The resolution as amended was then concurred in by the Senate.

On motion by Mr. Newcomb,

Resolved, That the use of the Hall is tendered to the Baptist congregation of Indianapolis, whose church edifice has recently been destroyed by fire, to be used by said congregation as a place of worship.

On motion by Mr. Line,

Resolved, That the Librarian be and he is hereby directed to take up the carpet in the Hall, and preserve the same until the next session of the General Assembly, and that he also take measures for the care and preservation of the furniture of the Senate Chamber.

MR. PRESIDENT:

The Committee appointed to wait upon His Excellency the Governor, have performed that duty, and would respectfully report that we are informed by His Excellency that he has no further communication to make to this General Assembly, and that he extends his best wishes for the health and prosperity of each member.

On motion by Mr. Line,

Resolved, That the Secretary be instructed to inform the House that the Senate has completed its legislative business, and is ready to adjourn, *sine die*, and to inquire if the House has any communication to make the Senate.

The President appointed the following joint committees in pursuance of a joint resolution previously adopted :

Committee to investigate the affairs of the offices of State, and to sit during the vacation, on the part of the Senate, Senators Wagner and Hamilton, Messrs. Branham, Veatch and Gifford having been appointed on the part of the House.

Committee to Investigate Swamp Land Frauds—on the part of the Senate, Mr. Miller ; Messrs. Crain and Fisher having been appointed on the part of the House.

On motion by Mr. Stone,

Resolved, That a call of Senators be now ordered, for the purpose of ascertaining the number of Senators present on the final adjournment of the Senate.

The Secretary proceeded with the call, and the following Senators were reported as being present :

Messrs. Anthony, Bearss, Beeson, Berry, Blair, Campbell, Carnahan, Claypool, Cobb, Conley, Conner, Craven, Cravens, Culver, Dickinson, Ferguson, Grubb, Hamilton, Hull, Johnston, Jones, Landers, Line, Lomax, March, Mellett, Miller, Murray, Newcomb, O'Brien, Odell, Ray, Robinson, Shoemaker, Steele, Stone, Studabaker, Tarrington, Teegarden, Wagner, White, Williams, Wilson, and Wolfe—44.

Messrs. DeHart, Robbins, Shields, Shoulders and Turner had been previously excused.

The following message from the House was taken up :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution thereof :

Be it resolved by the House of Representatives, the Senate concurring, That there shall be printed and bound, in the usual manner, five hundred copies in the German language of the laws and joint resolutions passed at the present session of this General Assembly, Which was concurred in by the Senate.

On motion,

The following message from the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following concurrent resolutions thereof, to-wit:

A concurrent resolution instructing our Senators in Congress, and requesting our Representatives to procure, if possible, a repeal of the act of Congress compelling invalid pensioners to procure biennial certificates of surgeons.

Resolved, by the House of Representatives of the State of Indiana, the Senate concurring therein, That our Senators in Congress be instructed, and our Representatives be requested, to use their utmost exertions to procure from the Congress a repeal of the act of Congress that requires the useless and expensive biennial certificate of two surgeons after invalid pensions have once been granted, before money can be drawn thereon,

Which was concurred in by the Senate.

Mr. Bearss offered the following concurrent resolution:

Resolved, by the Senate, the House of Representatives concurring, That the Auditor of State be instructed to draw his warrant in favor of Charles W. Cochrane for one hundred and eighty-three dollars for sixty-one days service as Messenger of the Senate, which allowance was omitted in an act making specific appropriations for the year 1861, by mistake in enrolling said bill, and that the President and Secretary of the Senate and the Speaker and Clerk of the House send a certified copy of this concurrent resolution to the Auditor of State as his authority for drawing said warrant,

Which was adopted.

On motion,

The following message of the House was taken up:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following concurrent resolution thereof, to-wit:

Concurrent resolution in regard to the construction to be put upon

section nine of an act to provide for the erection of a new Prison north of the National Road, election of officers therefor, making appropriations and for the regulation of the same, approved March 5, 1859.

Be it resolved by the House of Representatives, the Senate concurring therein, That said section was intended to mean, and is to be construed as meaning and allowing the Superintendent and Warden three dollars per day, instead of allowing him three dollars per day for superintending and three dollars per day for Warden, and that the Directors or Auditor of State be directed to only draw his warrant for three dollars per day for both Warden and Superintendent per diem,

Which was concurred in.

Messages from the House, by Mr. Gordon, Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has completed the Legislative business of the session, and has no further reports to make to the Senate.

The President then addressed the Senate as follows:

GENTLEMEN OF THE SENATE:—The vacant chairs which I see around me, the restless impatience manifest in every countenance, and the silent progress of the hand on the dial of the clock, all admonish me that the intimate, and, for the most part, the uninterruptedly agreeable, relations which have existed between us are rapidly approaching their termination. But I cherish the consciousness that we will retire from this, the theater of our labors and the field of our conflicts, with none but sentiments of the utmost kindness and personal regard, such as our intimate social and official relations would naturally originate. It is true, temporary political excitement necessarily occur in such bodies, and they have here had their usual course and freedom during our deliberations; but you will doubtless bear me witness that these, when once passed away, have invariably taken with them the momentary bitterness and asperity of the political contests in which they rise and sink. But we might

As well expect eternal sunshine, cloudless skies,
As men forever calm, temperate and wise.

Our deliberations during the present session have been conducted in the midst of the most extraordinary scenes that have ever dawned upon the country. A spirit of revolution, of impatience with the wholesome restraints of law, and almost universal dissatisfaction with the existing order of things, has so interfused its poison throughout

the popular mind as to have broken up the foundations of society and government, and let loose the fierce passions of mankind to prey upon all that has heretofore been regarded as pure, peaceable and of good report. The grand idea of the capacity of man for self-government, which was first conceived and practically incorporated into a system of government by those whose dreams of liberty within the shadow of thrones developed within them a desire to kindle the beacon-fires of liberty on the rocks of New England, and while their songs of freedom were mingled with the lonely roar of the ocean as its waves broke upon that rock-bound coast, the unopened page of the future was being impressed with a theory of government in perfect harmony with the grandeur of that idea which was soon to result in the establishment of a constitution, instinct with the attributes of civil and religious liberty. What this has produced in national and domestic prosperity all well know. To what an unexpected and unnecessary test this grand experiment is now subjected the logic of events is but too plainly illustrating. What may be the result of the present alarming condition of national affairs, human wisdom cannot foresee, or human sagacity foretell; but that peace and harmony will be evolved out of the present anarchy, no man who loves his race can for a moment doubt, though he may be in total ignorance of the agencies by which it will be produced; but the elements of that confidence are to all the "evidence of things not seen, the substance of things hoped for." The inquiry naturally arises, what can we do to hasten coming events, that are to be as oil on the troubled waters? Faultless ourselves in bringing upon the country the "ills we have," it were wise that we "fly not to others we know not of."

Specific and definite proposals of a local character for a settlement of existing difficulties serve only to increase the complication of affairs by exciting debate and its accompanying animosity. Remedies are alone to be found in the wisdom of Congress or in the patriotism of a Constitutional Convention. A remedy proposed by either would be canvassed in a catholic spirit of nationality, while local remedies would be scrutinized in the light of party platforms and sectional prejudice. Hence it would appear to be a dictate of prudence that we, a part only of a whole composed of many members, should patiently await the remedy of that wisdom which presides over the destiny of the whole, and, in a spirit of unselfish love of country, unite in applying that remedy.

But, in the seething cauldron of passion, it may be that there is nothing left us but overwhelming calamity, and all the horrors which many good men fear there is too much reason to anticipate. Should this be our fate, we can only unite in the fervent prayer, "God save the right,"

Should the "tempest swing
The Pine against the Palm."

In the midst of these hopes and fears; in the midst of these realities and the visions and anticipations to which they give birth, have

we, the representatives of the State, been called to deliberate, and if we have not been able to mature so much legislation as, under ordinary circumstances might have been expected or even deemed necessary, I congratulate you upon the fact that we have not, unadvisedly, and with ill-timed haste, been betrayed into the adoption of any measure that might have contributed to the present excitement, or have committed us to a line of policy that might in the future embarrass the freedom of our action with reference to a proposed measure for the National Peace.

Much important legislation has been completed, and much of equal importance has been passed over incomplete, owing to a want of harmony and difference in opinion that may have been increased by the pressure of external excitement, but this misfortune is small when contrasted with the magnitude of the former, and the remedy will doubtless be suggested within the quiet and retirement of the homes that are now waiting to welcome us.

With these remarks, gentlemen, you will permit me to tender to you my grateful acknowledgment of the honor you have done me in having selected me to preside over your deliberations in so eventful a period, and of the kind indulgence extended to my many faults, which could not, on many occasions, but have been manifest to all. Yet, allow me to assure you that, whatever errors I may have committed, and numerous as they doubtless are, in the discharge of the delicate duties imposed on me, they had their origin in an inexperienced head and not in a wilful heart, and if I have unintentionally given offence to any, whether members of the Senate, officers or others, at the hands of all of whom I have received nothing but evidences of kindness and consideration beyond any merit of mine to you, I say I will bear about with me the recollection of that act longer than you can.

Again I thank you, and commend you to those kind friends in the enjoyment of whose society at home you will soon forget the strife of the Senate chamber, but in the midst of which, I trust, you will indulge in occasional recollections of the Senate and its Senators.

Mr. Newcomb moved, that the Senate do now adjourn *sine die*,
Which was agreed to, and

The President pronounced the Senate adjourned *sine die*.

JAMES H. TYNER,
Principal Secretary.

FRANCIS P. GRIFFITH,
Assistant Secretary.

I N D E X.

A

ABSENCE, LEAVE OF, GRANTED—

To Mr. Ferguson.....	105
To Mr. White.....	114
To Mr. Beeson.....	178
To Mr. Stone.....	178, 549
To Mr. Slack.....	178
To Mr. Landers.....	178, 240
To Mr. Johnston.....	178, 608
To Mr. Claypool.....	240
To Mr. Grubb.....	240, 595
To Mr. De Hart.....	240, 256
To Mr. Williams.....	240, 488
To Mr. Shoemaker.....	276, 750
To Mr. Campbell.....	276
To Mr. Shoulders.....	287, 692
To Mr. Hull.....	296
To Mr. Tarkington.....	300, 750
To Mr. Turner.....	300
To Mr. Studabaker.....	315
To Mr. Wolfe.....	315
To Mr. Craven.....	315
To Mr. Newcomb.....	495
To Mr. Dickinson.....	531
To Mr. Murray.....	556
To Mr. Shields.....	572, 750, 889
To Mr. Cobb.....	572
To Mr. Robinson.....	585
To Mr. Cravens.....	591
To Mr. Odell.....	592
To Mr. Steele.....	592
To Mr. Hamilton.....	593
To Mr. Conner.....	595
To Mr. Tyner.....	596
To Mr. O'Brien.....	728
To Mr. Jones.....	750
To Mr. Culver.....	750

ADDRESSES—

Of Governor Lane (Inaugural).....	52
Of Governor Morton.....	88
Of President Cravens (Valedictory).....	988

ADJOURNMENT—

Resolutions to adjourn over.....	29, 106, 124, 174, 179, 314
----------------------------------	-----------------------------

AGENT OF STATE—

Robert N. Hudson elected.....	105
-------------------------------	-----

ANTHONY DEWITT C.—

Appeared	3
Bills by	72, 282, 579, 694
Petitions by	224, 271
Reports by	61, 201, 273, 516, 643, 713
Joint Resolutions by	851
Resolutions by	13, 30, 36, 61, 106, 177, 231, 314
Motions by	12, 15, 33, 43, 65, 72, 73, 79 195, 202, 215, 220, 224, 249, 256, 263, 274, 282, 284, 296, 323, 462, 465, 483, 525, 604, 606, 620, 644, 645, 646, 664, 676, 690, 749, 750, 842, 844, 851, 864, 876, 919, 931, 933
Appointed President Pro Tem	602

ASYLUMS—

Reports of Officers of, laid before Senate	70
--	----

ATTORNEY GENERAL—

Communication from	538
--------------------------	-----

AUDITOR OF STATE—

Communication from	696, 739
--------------------------	----------

APPEALS FROM THE DECISION OF THE PRESIDENT—

By Mr. Cobb	210
By Mr. Ray	131
By Mr. Slack	534, 678, 875
By Mr. Wolfe	210, 677
By Mr. Studabaker	708
By Mr. March	936

AYES AND NOES—

On laying on the table Mr. Wagner's resolution, referring all matters relating to National Affairs to the Committee on Federal Relations without debate	8
On Mr. Wagner's motion to lay on the table Mr. Tarkington's motion, to postpone the consideration of the foregoing resolution of Wagner, until Tuesday 10 o'clock, A. M., and make it the Special Order for that hour	9
On ordering the main question upon the foregoing resolution	9
Upon the adoption of the resolution	10
On Mr. Wagner's motion to refer the resolution of Mr. O'Brien relative to printing 5,000 copies of Gov. Hammond's Message, to the Committee on Printing	30
On motion of Mr. Anthony, to lay amendment of Mr. Cobb to report of Select Committee relative to newspapers, on the table	43
On Mr. Cobb's motion to lay Mr. Conner's amendment to same report on the table	43
On Mr. Conley's motion to lay on table amendments of Messrs. Newcomb and Johnston to same report	44
On laying on the table Mr. March's amendment to the same report	45
On laying on the table amendment of Mr. Murray to report of Select Committee on Stationery	62
On laying on the table an amendment of Mr. Newcomb to a resolution of Mr. Slack respecting newspapers	64
On laying on the table an amendment of Mr. Slack, to an amendment by Mr. Line, to the resolution of Mr. Slack respecting newspapers	65
On laying on the table an amendment by Mr. Slack to the same resolution	66
On the motion of Mr. Line to fill the blank in said resolution with the number six	66
On the adoption of the resolution as amended	66
On laying on the table motion of Mr. Johnston relative to suspending rules requiring matters pertaining to National Affairs, to be referred to the Committee on Federal Relations	69
On Wagner's motion to lay on the table resolution by Mr. Slack instructing Committee on Federal Relations to report back memorial and joint resolution submitted by Mr. Ray	69
On suspending the rules to read Senate bill No. 28 a first time by its title	72
On suspending the rules to read Senate bill No. 31 a first time by its title	73
On laying on the table motion of Mr. Wagner relative to Senate bill No. 6 reported back by Select Committee	80
On laying on the table a motion to postpone the consideration of a resolution of the House respecting election of U. S. Senator	81
On laying on the table the resolution of Mr. Cravens relative to the election of a United States Senator	83
On laying on the table House Message containing a resolution respecting the election of a United States Senator	83
On seconding the previous question on the adoption of resolution of Mr. Cravens	84
On laying on the table the motion of Mr. Line to reconsider the vote by which the Senate had adopted the report of the Select Committee respecting newspapers	86
On Mr. Line's motion to reconsider said vote	86
On seconding the previous question on Mr. Newcomb's amendment to Mr. Slack's resolution respecting newspapers	89
On the adoption of the amendment	90
On the adoption of the resolution of Mr. Slack	90
On the passage of House Joint Resolution No. 9	90

AYES AND NOES—Continued.

On suspending the rules to read Senate bill No. 43 a first time by its title.....	110
On passage of resolution to adjourn over.....	107
On the passage of Senate bill No. 7.....	117
On laying on the table motion by Mr. Blair to refer a resolution of Mr. Line to the Committee on Roads.....	123
On suspending the rules to read House bill No. 59 a second time by title.....	129
On the passage of said bill.....	130
On postponing the Order of the Day, being the majority report of the Committee on Federal Relations.....	130
On laying on the table a motion of Mr. Williams to recommit said report.....	131
On sustaining decision of the President in deciding Mr. Ray's amendment to said report out of order.....	132
On laying on the table an amendment by Mr. Williams to the same report.....	132
On seconding the demand for the previous question by Mr. Teegarden upon said report and Senate Joint Resolution No. 7.....	133
On the adoption of Senate Joint Resolution No. 7.....	133
Upon the adoption of Senate Joint Resolution No. 8.....	134
On suspending the rules to read Senate bill No. 66 a first time by its title.....	137
On laying on the table an amendment of Mr. Carnahan to a resolution by Mr. Bearss respecting employing an architect for Northern Prison investigation.....	140
On the passage of Senate bill No. 14.....	140
On the passage of Senate bill No. 7.....	142
On the same subject.....	143
On suspending the rules to read Senate bill No. 72 a first time by title.....	149
On suspending the rules to read Senate bill No. 74 a second time by title.....	157
On suspending the rules to read Senate bills No. 68 and 69 by title.....	150
On the passage of House Joint Resolution No. 23.....	168
On the passage of House Joint Resolution No. 8.....	169
On the passage of House Joint Resolution No. 7.....	169
On suspending the rules to read Senate bill No. 86 a second time by title.....	170
On suspending the rules to read House bill No. 104 by title.....	171
On the adoption of a resolution to adjourn over.....	174
On concurring in the report on Senate bill No. 9.....	175
On laying on the table House bill No. 104 and pending instructions.....	184
On the passage of Senate Joint Resolution No. 9.....	189
On taking up the minority report of the Committee on Federal Relations.....	202
On laying on the table appeal of Mr. Wolfe.....	219
On suspending the rules to read Senate bill No. 97 by its title.....	211
On the passage of Senate bill No. 97.....	211
On laying on the table a resolution by Mr. Cobb excusing the Committee on Federal Relations from serving in the Senate.....	212
On the passage of Senate bill No. 74.....	214
On laying on the table an amendment to House Joint Resolution No. 29 by Mr. Cobb.....	220
On laying on the table an amendment by Mr. Wolfe to the same.....	221
On laying on the table Mr. Ray's amendment thereto.....	221
On laying on the table Mr. Williams's amendment thereto.....	222
On the passage of the Joint Resolution.....	222
On the passage of a resolution by Mr. Conley to purchase postage stamps for Senators and elective officers.....	230
On adopting Mr. Bearss's resolution relative to time of meeting and adjourning of the Senate daily.....	231
On the passage of Senate Joint Resolution No. 5.....	238
On the passage of Senate Joint Resolution No. 12.....	239
On the passage of Senate Joint Resolution No. 6.....	239
On suspending the rules to read Senate bill No. 100 by title.....	240
On suspending the rules to read Senate bill No. 89 by title.....	243
On suspending the rules to read Senate bill No. 114 by title.....	248
On suspending the rules to read Senate bill No. 115 by title.....	248
On suspending the rules to read Senate bill No. 117 by title.....	249
On suspending the rules to read Senate bill No. 118 by title.....	250
On suspending the rules to read Senate bill No. 121 by title.....	251
On the passage of Senate bill No. 5.....	254
On the passage of Senate bill No. 12.....	254
On the passage of Senate bill No. 19.....	255
On the passage of Senate bill No. 24.....	255
On laying on the table motion to recommit House bill No. 104.....	256
On the passage of Senate bill No. 29.....	256
On laying on the table motion to postpone indefinitely Senate bill No. 40.....	257
On laying on the table various instructions to said bill.....	258
On suspending Order of Business and taking up a motion to reconsider the vote referring all matters pertaining to the State of the Union to the Committee on Federal Relations.....	262
On laying on the table a motion to suspend the Order of Business, and read resolutions presented by Mr. Slack.....	263
On the passage of Senate bill No. 16.....	264
On the passage of Senate bill No. 18.....	265
On the passage of Senate bill No. 26.....	266
On the passage of Senate bill No. 44.....	266
On the passage of Senate bill No. 49.....	267
On the passage of Senate bill No. 56.....	268
On suspending the rules to read Senate bill No. 128 by title.....	275
On laying on the table an amendment to Senate bill No. 43.....	283
On laying the bill on the table.....	284
On laying on the table Conner's amendment to Senate bill No. 43.....	285

AYES AND NOES—Continued.

On indefinitely postponing Senate bill No. 2	291
On suspending the rules to read Senate bill No. 153 by title.....	295
On suspending the rules to read House bill No. 152 by title.....	298
On the passage of Senate bill No. 79.....	296
On the passage of Senate bill No. 77.....	299
On laying on the table majority report of Committee on Military Affairs and Senate bills Nos. 28 and 72	305
On the same subject.....	310
On laying on the table minority report of same committee.....	310
On adoption of a resolution to adjourn over by Mr. Anthony.....	314
On adoption of a resolution of Mr. Conner.....	317
On laying on the table motion to recommit House bill No. 104	326
On the passage of the bill.....	326
On the passage of House bill No. 152.....	327
On suspending the Order of Business.....	458
On laying on the table an amendment to Senate bill No. 30.....	462
On concurring in majority report respecting Senate bill No. 30.....	463
On laying on the table an amendment to Senate bill No. 86.....	465
On indefinitely postponing Senate bill No. 140	472
On suspending the rules to read Senate bill No. 177 a third time	486
On the passage of the same bill.....	486
On suspending the rules to read Senate bill No. 183 a second time by title	495
On the adoption of a resolution relative to the sessions of the Senate by Mr. Murray.....	504
On the passage of Senate bill No. 86.....	506
On the passage of House bill No. 119.....	506
On laying on the table Senate bill No. 8 and pending instructions	508
On the passage of Senate bill No. 25.....	508
On the passage of Senate bill No. 36.....	509
On the passage of Senate bill No. 38.....	509
On the passage of Senate bill No. 46.....	510
On laying on the table a motion to recommit House bill No. 1 with instructions.....	513
On the passage of said bill.....	513
On suspending the rules to read Senate bill No. 198 by title.....	517
On suspending the rules to read Senate bill No. 208 by title	520
On the passage of Senate Joint Resolution No. 15.....	520
On laying on the table a motion to recommit Senate bill No. 31	521
On laying on the table a motion to postpone consideration of the bill	522
On laying on the table Mr. Cobb's motion to postpone consideration of the bill.....	523
On suspending the rules to read Senate bill No. 217 by title.....	530
On passing informally over the Order of Business to take up House bill No. 104.....	531
On laying on the table a motion to recommit the bill with instructions.....	532
On ordering a call of the Senate.....	533
On Mr. Cobb's motion to adjourn.....	533
On laying on the table an appeal from the decision of the President by Mr. Slack.....	534
On the passage of House bill No. 104.....	534
On laying on the table a motion to recommit the bill.....	535
On laying on the table a motion to place the bill on the files for a third reading.....	535
On laying on the table a motion to recommit the bill with instructions.....	536
On a motion to adjourn by Mr. Wolfe.....	536
On the passage of the bill.....	537
On a motion to amend the title.....	537
On laying on the table motion to allow Mr. Cobb to record his vote on the passage of House bill No. 104.....	542
On laying on the table a motion to allow Mr. Slack to record his vote on the passage of same bill.....	543
On suspending the rules to read House bill No. 190 a third time.....	543
On the passage of the bill.....	544
On suspending the Order of Business to take up Senate bill No. 210.....	546
On laying on the table a motion by Mr. Slack to correct the Journal of the Senate.....	551
On Mr. Wagner's motion to lay all pending motions, relative to correcting the Journal, on the table.....	553
On indefinitely postponing Senate bill No. 178.....	556
On the passage of Senate bill No. 31.....	561
On the passage of Senate bill No. 104.....	562
On the passage of Senate bill No. 116.....	565
On the passage of Senate bill No. 175.....	566
On the passage of Senate bill No. 171.....	567
On the passage of Senate bill No. 107.....	567
On the passage of Senate bill No. 52.....	568
On the passage of Senate bill No. 163.....	568
On laying on the table a motion to indefinitely postpone Senate bill No. 37.....	569
On indefinitely postponing the bill.....	569
On suspending the rules to introduce a resolution.....	572
On adjournment.....	584
On laying on the table amendment to the report of Select Committee relative to a Monument to Jonathan Jennings	609
On adoption of majority report of said committee.....	609
On the passage of House Joint Resolution No. 31.....	610
On indefinitely postponing Senate bill No. 20.....	611
On the passage of the bill.....	611
On the passage of Senate bill No. 30.....	612
On indefinitely postponing Senate bill No. 40.....	613
On laying on the table motion to recommit the bill with instructions.....	613
On the passage of the bill.....	613

AYES AND NOES—Continued.

On the passage of Senate bill No. 57.....	614
On laying on the table an amendment to the report on House bill No. 39.....	619
On laying on the table a motion to recommit the bill with instructions.....	620
On the passage of the bill.....	620
On indefinitely postponing Senate bill No. 224.....	627
On postponing the consideration of the report of the minority from the Committee on Federal Relations.....	633
On adopting amendment to Senate bill No. 217.....	635
On adoption of Claypool's amendment to Senate bill No. 217.....	636
On laying on the table Senate bill No. 222, and amendments.....	645
On laying on the table Mr. Line's amendment thereto.....	645
On laying on the table a motion to recommit the bill with instructions.....	646
On laying on the table an additional motion to recommit.....	646
On suspending the rules to read Senate bill No. 255 second time.....	649
On suspending the rules to read Senate bill No. 259 by title.....	650
On suspending Order of Business to take up Senate bill No. 8.....	651
On the passage of Senate bill No. 65.....	651
On the passage of Senate bill No. 117.....	652
On the passage of Senate bill No. 171.....	652
On the passage of Senate bill No. 93.....	653
On the passage of Senate bill No. 76.....	655
On the passage of Senate bill No. 136.....	655
On the passage of Senate bill No. 82.....	656
On the passage of Senate bill No. 96.....	656
On the passage of Senate bill No. 98.....	657
On the passage of Senate bill No. 73.....	657
On indefinitely postponing Senate bill No. 81.....	658
On the passage of the bill.....	658
On the passage of Senate bill No. 88.....	659
On the passage of Senate bill No. 138.....	660
On the passage of Senate bill No. 99.....	661
On the passage of Senate bill No. 221.....	662
On the passage of Senate bill No. 54.....	663
On suspending rules to read House bill No. 42 by title.....	665
On the passage of Senate bill No. 106.....	665
On the passage of Senate bill No. 101.....	666
On the passage of Senate bill No. 203.....	667
On laying on the table Mr. Bearss's amendment to Senate bill No. 207.....	671
On laying on the table amendment to Senate bill No. 222.....	675
On laying on the table second amendment thereto.....	676
On laying on the table motion to postpone consideration of the bill.....	677
On seconding the previous question.....	677
On laying Mr. Wolfe's appeal on the table.....	678
On the adoption of Claypool's amendment to Senate bill No. 222.....	679
On concurring in the report of Committee on same bill.....	679
On the appeal of Senators Slaek and Jones.....	679
On laying on the table motion to amend report on House bill No. 86.....	687
On laying on the table instructions respecting said bill.....	689
On laying on the table motion to recommit report of Swamp Lands Committee.....	692
On rejecting the minority report, from the Committee on Printing, made by Mr. Wolfe.....	696
On laying on the table appeal from decision of the President by Studabaker and Cavanaugh.....	709
On laying on the table motion to suspend Order of Business to take up House bill No. 328.....	710
On suspending Order of Business to take up the bill.....	710
On the passage of House bill No. 86.....	722
On laying on the table amendment to report of Committee on Senate Bill No. 208, and on concurring in the report with an amendment.....	724
On the passage of House Joint Resolution No. 34.....	732
On laying on the table motion to recommit Senate bill No. 121, and on the motion to recommit with instructions.....	733
On the passage of Senate bill No. 134.....	735
On laying on the table a motion to recommit Senate bill No. 114 with instructions.....	736
On the passage of the bill.....	737
On the passage of Senate bill No. 115.....	737
On the passage of Senate bill No. 133.....	738
On the passage of House bill No. 3, and Senate bill No. 264.....	751
On the passage of Senate bill No. 45.....	751
On the passage of Senate bill No. 209, and House bill No. 161.....	752
On the passage of Senate bill No. 266, and House bill No. 140.....	753
On the passage of Senate bill No. 70.....	754
On the passage of Senate bill No. 185.....	755
On the passage of House bill No. 161.....	756
On recommitting Senate bill No. 217 with instructions.....	774
On laying on the table two additional motions to recommit.....	776
On the passage of Senate bill No. 217.....	777
On indefinitely postponing amendment to House bill No. 84, and on indefinitely postponing the bill.....	778
On laying on the table Mr. March's amendment thereto.....	780
On laying on the table Mr. March's second amendment.....	781
On the passage of the bill.....	782
On the passage of Senate bill No. 85.....	782
On the passage of Senate bills Nos. 119 and 111.....	784
On the passage of Senate bill No. 169.....	785
	786

AYES AND NOES—Continued.

On the passage of Senate bill No. 108.....	788
On the passage of Senate bills Nos. 144 and 187.....	789
On the passage of Senate bill No. 146.....	790
On the passage of Senate bill No. 206.....	791
On laying on the table Senate bill No. 214.....	791
On the passage of Senate bills Nos. 210 and 245.....	792
On the passage of Senate bill No. 193.....	793
On the passage of Senate bills Nos. 55 and 233.....	794
On suspending the rules to read Senate bill No. 277 by title.....	799
On the passage of the bill.....	800
On suspending the rules to read Senate bill No. 278 by title.....	805
On laying on the table a motion to amend a motion by Mr. Wagner to print 500 copies of the Swamp Land Committee's Report.....	807
On laying on the table a motion by Mr. Slack to postpone the further consideration of the same subject.....	807
On seconding the previous question.....	808
On laying on the table amendment by Mr. Tarkington.....	808
On seconding the previous question.....	809
On laying report on the table and printing same.....	809
On the passage of Senate bills Nos. 153 and 109.....	810
On the passage of Senate bills Nos. 164 and 170.....	811
On the passage of Senate bills Nos. 150 and 142.....	812
On the passage of Senate bills Nos. 112 and 199.....	813
On the motion to adjourn by Mr. Slack.....	815
On Mr. Murray's motion to dispense with the reading of the Journal.....	818
On seconding previous question on concurring in the report of Judiciary Committee on Senate bill No. 259.....	821
On concurring in the report.....	821
On considering the bill as engrossed.....	821
On seconding previous question on passage thereof.....	822
On the passage of the bill.....	822
On the passage of House bill No. 325.....	823
On the passage of Senate bill No. 121.....	824
On concurring in the report on Senate bill No. 34.....	825
On the passage of House bill No. 243.....	825
On laying on the table Mr. Ray's motion to recommit House bill No. 173 with instruc- tions.....	827
On the passage of the bill.....	828
On the passage of Senate bill No. 260.....	831
On seconding the previous question on concurring in the report of Committee on Senate bill No. 269.....	833
On laying on the table Mr. Conley's amendment to Committee majority report on Senate bill No. 269.....	835
On seconding the previous question on concurring in the report of the Committee.....	835
On laying on the table the majority report.....	836
On laying on the table Mr. Williams's amendment thereto.....	837
On laying on the table a motion to postpone consideration of the report.....	837
On laying on the table second motion of like import.....	838
On sustaining previous question on concurring.....	838
On concurring in the report.....	839
On laying on the table the motion to consider bill as engrossed, and read it the third time.....	839
On sustaining the previous question on the above motion.....	840
On considering the bill as engrossed, and reading it the third time.....	840
On suspending the rules to read House bill No. 336.....	843
On the passage of Senate bill No. 69.....	850
On the passage of Senate Joint Resolution No. 16.....	851
On the passage of House bill No. 283.....	856
On suspending the rules to read House bill No. 346 by title.....	857
On a motion to amend the bill.....	857
On the passage of Senate bills Nos. 87 and 54.....	858
On laying on the table a motion to indefinitely postpone House bill No. 62 and pending amendment.....	859
On indefinitely postponing the bill.....	859
On laying the bill on the table.....	860
On indefinitely postponing Senate bill No. 1.....	860
On laying on the table amendment to Committee report on House bill No. 336.....	861
On laying on the table a motion to recommit the bill.....	862
On the passage of the bill.....	863
On suspending the rules to read House bill No. 294 by title.....	864
On the passage of Senate bill No. 64.....	865
On suspending the rules to read House bill No. 326 by title.....	865
On the passage of House bill No. 42.....	866
On the passage of Senate bill No. 194.....	866
On the passage of House bill No. 346.....	868
On the passage of Senate bill No. 249.....	868
On suspending the rules to read House bill No. 133 by title.....	869
On the passage of House bill No. 103.....	870
On the passage of Senate bills Nos. 218 and 120.....	871
On the passage of Senate bill No. 248.....	872
On the passage of Senate bills Nos. 100 and 172.....	873
On the passage of Senate bills Nos. 237 and 184.....	874
On laying on the table Mr. Slack's appeal from the decision of the President.....	875
On laying on the table Mr. Wolfe's motion to reconsider the vote on House bill No. 103.....	876

AYES AND NOES—Continued.

On laying on the table Mr. Ray's motion to suspend the Order of Business.....	876
On seconding the previous question.....	878
On laying on the table a motion to take up House bill No. 62.....	878
On the motion to take up the bill.....	879
On laying on the table Mr. March's amendment.....	879
On the adoption of Mr. March's amendment.....	880
On the adoption of his second amendment.....	881
On laying on the table a motion to recommit the bill.....	881
On laying on the table Mr. Cobb's amendment.....	882
On indefinitely postponing the bill.....	882
On the passage of House bills 81 and 206.....	885
On seconding the previous question.....	887
On seconding the previous question.....	888
On the adoption of a concurrent House resolution appointing Swamp Land Fraud Investigating Committee.....	888
On the passage of House bill 328.....	889
On the passage of House bills 100 and 324.....	890
On the passage of House bill 82.....	891
On the passage of House bill 133.....	892
On the passage of Senate bill 251.....	893
On the passage of House bill 176.....	894
On the passage of Senate bill 71.....	895
On laying on the table a motion to reconsider the vote adopting amendment to House bill 62.....	896
On the motion to reconsider.....	897
On laying on the table the amendment.....	897
On the passage of the bill.....	898
On suspending the rules to read House bill 348 by title.....	899
On the passage of House bill 326.....	905
On the passage of House bill 294.....	906
On the passage of House bill 44.....	907
On suspending the rules to read House bill 188 by title.....	908
On the passage of House bill 77.....	908
On suspending the rules to read House bill 10 by title, and on its passage.....	909
On the passage of Senate bill 105.....	909
On the passage of Senate bill 262.....	910
On the passage of House bill 186.....	920
On suspending the rules to read House bill 15 by title.....	921
On the passage of the bill.....	921
On the passage of House bill 199.....	923
On the passage of House bill 106 and Senate bill 227.....	924
On the passage of Senate bill 274.....	925
On suspending the rules to read House bill 317 by title, and on its passage.....	926
On laying on the table amendment to House bill 348.....	929
On the passage of the bill.....	932
On suspending the rules to read House bill 295 by title.....	934
On laying on the table a motion to take a re-vote on House bill 62.....	934
On a motion to adjourn.....	935
On seconding the previous question.....	935
On a motion to take a re-vote on House bill 62.....	936
On the passage of the bill.....	937
On suspending the rules to read House bill 344 by title.....	937
On the passage of the bill.....	938
On suspending the rules to read House bill 242 by title.....	938
On laying on the table an amendment thereto, and on the passage of the bill.....	939
On adhering to Senate amendments to House bill 348.....	940
On suspending the rules to read Senate bill 279 by title.....	941
On laying on the table an amendment to the bill.....	942
On seconding the previous question, and on the passage of the bill.....	943
On receding from the amendment to House bill 86.....	948
On suspending the rules to read House bill 329 by title, and on the passage of the bill.....	950
On the passage of Senate Joint Resolution 19.....	951
On laying House bill 135 on the table.....	951
On the passage of the bill.....	952
On suspending the rules to read House bill 269 by title.....	952
On the passage of House bill 188.....	952
On the passage of House bill 8.....	953
On the passage of House bill 295.....	954
On suspending the rules to read House bill 155 by title.....	955
On the passage of House bill 116.....	956
On the passage of House bill 114.....	957
On the passage of House bills 91 and 159.....	958
On the passage of House bills 155 and 167.....	959
On the passage of House bill 322.....	960
On suspending the rules to read House bill 342 by title, and on the passage thereof.....	962
On suspending the rules to read House bill 244 by title, and on the passage of the bill.....	963
On the passage of House bill 139.....	964
On the passage of House bill 115.....	964
On suspending the rules to read House bill 185 by title, and on the passage of the bill.....	965
On the passage of House Joint Resolutions 35 and 32.....	966
	967

B

BANK OF THE STATE OF INDIANA—

Report of the Officers.....	71
Report of Terre Haute Branch	114

BEARSS, DANIEL R.—

Appeared and qualified	4
Bills by.....	528, 593, 632, 674
Petitions by.....	320, 550, 586
Reports by.....	632
Resolutions by	70, 106, 138, 204, 232, 493, 955, 997
Motions by.....	71, 256, 258, 596, 632, 671, 708, 734, 805, 807, 808, 838, 862, 869, 941

BEESON, OTHNIEL—

Appeared	4
Bills by	279, 322, 529
Petitions by.....	189, 271
Resolutions by	67, 108, 125, 194, 210, 499
Reports by.....	121, 145, 236, 292, 303, 309, 316, 321, 463, 492, 515, 575, 623, 625, 685, 690, 817
Motions by.....	71, 145, 147, 244, 300, 507, 540, 585, 616, 664, 815, 875
Leave of absence to.....	178

BERRY, E. H. M.—

Appeared and qualified.....	4
Bills by.....	316
Reports by.....	179, 223, 301, 505, 680, 768, 807, 849, 863, 911, 970, 974, 975, 976, 977
Petitions by.....	641

BLAIR, SOLOMON—

Appeared.....	4
Bills by.....	73, 141, 281, 518, 580, 704
Reports by.....	272, 470, 622, 757, 775, 872, 957
Resolutions by.....	71, 213, 800
Petitions by	246, 987
Motions by.....	48, 82, 118, 123, 138, 221, 252, 257, 296, 507, 540, 585, 638, 641, 661, 689, 750, 872, 873, 877, 994

BEARD, JOHN—

Elected Trustee of Blind Institute on part of the Senate.....	801
---	-----

BARKER, CHARLES I.—

Nominated and voted for as Principal Secretary of the Senate.....	6
---	---

BEMUSDAFFER, JOSEPH V.—

Voted for for Sinking Fund Commissioner.....	798
--	-----

BROWN, ROBERT DELOSS—

Elected State Librarian.....	104
Communications from.....	183, 452, 670, 992

BINGHAM, JOSEPH J.—

Voted for for State Printer	139
-----------------------------------	-----

BENEVOLENT INSTITUTIONS—

Andrew Wallace elected President of the Board of Trustees.....	801
--	-----

BURT, JAMES C.—

Elected Trustee of Deaf and Dumb Institute.....	802
---	-----

BRADY, HENRY—

Voted for for Trustee of Insane Asylum.....	804
---	-----

BILLS OF THE HOUSE—

(See Tabular Statement at close of Index.)

BILLS OF THE SENATE—

(See Tabular Statement at close of Index.)

C

CALLS OF THE SENATE—

Ordered.....	142, 219, 283, 305, 325, 608, 618, 644, 709, 749, 773, 816, 840, 842, 848, 896, 931, 935, 996
--------------	---

CAMPBELL HENRY—

Appeared and qualified	4
Petitions by	320
Resolutions by	814, 993
Motions by	952
Leave of absence to	276
Excused from call of Senate	644

CANAL TRUSTEE—

Election of	105
Report of, laid before the Senate	71

CARUTHERS, ANDREW S.—

Voted for for Prison Director	853
-------------------------------------	-----

CARNAHAN, MAGNUS T.—

Appeared	4
Bills by	34, 251, 294, 316, 504
Petitions by	271, 500
Reports by	904
Resolutions by	311, 607
Refused to vote	680
Motions by	47, 49, 123, 138, 140, 141, 144, 147, 156, 158, 244, 248, 257, 260, 270, 291, 294, 295, 300, 311, 325, 518, 640, 658, 687, 688, 689, 709, 767, 780, 783, 821, 921

CLAYPOOL, BENJAMIN F.—

Appeared and qualified	4
Bills by	31, 40, 75, 112, 170, 249, 251, 294, 518, 520, 528, 581
Petitions by	76, 77, 263, 300, 586
Reports by	172, 176, 190, 201, 224, 291, 467, 476, 488, 502, 516, 526, 554, 558, 616, 617, 722, 724, 762, 771, 819, 825
Resolutions by	157, 231, 498, 991
Motions by	46, 75, 91, 145, 154, 170, 177, 251, 257, 276, 277, 297, 519, 537, 544, 546, 552, 605, 636, 676, 732, 735, 777, 781, 788, 790, 808, 837, 850, 851, 951
Leave of absence to	240

COBB, THOMAS R.—

Appeared	3
Appeals by	210
Bills by	16, 205, 250, 481, 517, 649
Petitions by	189, 512
Reports by	192, 278, 489, 514, 621, 685
Resolutions by	14, 102, 122, 212, 723
Motions by	35, 42, 43, 45, 113, 114, 122, 174, 178, 220, 232, 250, 258, 276, 286, 287, 483, 522, 523, 533, 540, 542, 572, 612, 619, 649, 654, 688, 733, 773, 800, 839, 882, 889, 930, 950
Absence, leave of, to	572
Excused from voting	561
Refused to vote	680

COMMITTEES, JOINT SELECT—

To wait upon the Governor	11
Of correspondence and invitation to the President elect of the United States—Abraham Lincoln	58
Relative to a law for the liquidation of the State debt	498
On a resolution relative to the State indebtedness	640
On Congressional Apportionment	640
To investigate the affairs of the Officers of State and sit during vacation	996

COMMITTEES, SELECT—

To revise the Rules of the Senate	11
Respecting Stationery for the Senate	13
To procure a Clergyman to open the session of the General Assembly with prayer	13
Respecting newspapers for the Senate	15
On a petition by Mr. Line	18
On Senate bill No. 6	46
Relative to amending the State Constitution	50

COMMITTEES, SELECT—Continued.

Respecting establishing a House of Refuge.....	71
To examine office of Auditor of State.....	76
To district the State for legislative purposes.....	76
To conduct President of Senate to the Chair.....	92
To inquire respecting legislation necessary to the election of U. S. Senator.....	107
On Senate bill No. 70.....	161
To consider the Governor's Message relative to a House of Refuge.....	161
On a petition of the Bar of Dearborn county.....	200
Senators March and Cobb added to Fish Committee.....	270
To apportion the State for legislative purposes.....	301
To invite the Ohio Legislative Committee to visit the Senate Chamber.....	311
On a petition by Mr. Line.....	315
To accompany Mr. Lincoln to Ohio.....	317
On the petition of J. C. Kennedy.....	320
On arrangement of Seats in Senate Chamber.....	497
On a petition from Clark county.....	512
On a petition of the Treasurer of Lawrence county.....	512
On a memorial of the Indiana Historical Society.....	526
On Senate bill No. 31.....	531
On a petition from Kosciusko county.....	560
On Senate Joint Resolution No. 6.....	564
On a petition relative to licensing Concerts.....	586
To examine the vaults of the State Treasury.....	587
On Senate bill No. 100.....	595
On Senate bill No. 210.....	596
On Senate bill No. 145.....	626
On a petition of members of the Bar.....	629
On Senate bill No. 134.....	663
On Senate bill No. 89.....	664
On House bill No. 86.....	688
On House bill No. 199.....	690
On Senate bill No. 253.....	702
On House bill No. 328.....	711
On Senate bill No. 226.....	727
On House bill No. 84.....	729
On House bill No. 243.....	729
On Senate bill No. 134.....	736
On House bill No. 122.....	770
On Senate bill No. 191.....	889
On House bill No. 188.....	908
On House bill No. 155.....	956
To wait on the Governor.....	994

COMMUNICATIONS—

From the Doorkeepers of the Senate.....	58, 78, 234, 819
From William H. Talbott.....	70
From the Canal Trustee.....	71
From the Secretaries of the Senate.....	77
From Henry S. Lane, U. S. Senator.....	87
From the President of the Bank of the State.....	180
From the State Librarian.....	183
From S. C. Wilson, President Board of Trustees of the State University.....	215
From the Treasurer of State.....	235
From John W. Blake, John P. Dunn and C. W. Seely.....	245
From the Superintendent of Deaf and Dumb Institute.....	260
From the Superintendent of Public Instruction.....	306
From the President Indianapolis and Cincinnati R. R. Co.....	314
From the Superintendent of Blind Institute.....	319
From the Superintendent of Public Instruction.....	336
From the State Librarian.....	452
From the Attorney General.....	538
From the State Librarian and Elder & Harkness.....	670
From the Auditor of State.....	696
From the Auditor, Treasurer and Secretary of State.....	739
From the Commissioners of the Sinking Fund.....	739
From Talbott & Costigan, Prison Contractors.....	844
From the State Librarian.....	992

COMMITTEES OF FREE CONFERENCE—

On House bill No. 346.....	886
On House bill No. 336.....	893
On House bill No. 348.....	940

COMMITTEES, STANDING—

Appointed by resolution.....	36
Senator's Mellett, Johnston and Conley added to the Committee on Finance.....	141
The Finance Committee empowered to employ a Clerk.....	141
Senator Ray added to the Military Committee.....	244
Senator Jones added to the Committee on Banks.....	244
Senator Conner added to the Finance Committee.....	693

COMMITTEES OF THE WHOLE SENATE—

To consider Senate bill No. 217..... 596

CONLEY, JASON N.—

Appeared 3
 Petitions by 114, 641
 Bills by 32, 40, 214, 241, 282, 492, 518, 648
 Resolutions by 11, 159, 163, 177, 179, 229, 232, 496, 723, 793, 899
 Joint Resolutions by 493
 Reports by 13, 78, 136, 171, 191, 237, 271, 273, 470, 471, 721, 778
 Motions by 33, 44, 45, 46, 142, 154, 169, 199, 240, 254, 258, 274, 283, 462, 465, 482,
 493, 564, 640, 663, 680, 688, 689, 723, 735, 754, 834, 939, 962
 Excused from Call of the Senate 305

CONNER, JAMES D.—

Appeared 4
 Excused from Call of the Senate 608
 Petitions by 114
 Bills by 32, 40, 211, 241, 282, 492, 518, 648
 Reports by 136, 175, 190, 193, 236, 291, 302, 450, 474, 491, 500, 555, 560, 573, 574,
 623, 635, 647, 662, 723, 748, 764, 765, 819, 825
 Resolutions by 14, 109, 317, 592
 Motions by 43, 47, 79, 85, 91, 110, 115, 123, 133, 142, 144, 151, 157, 172, 211, 219,
 223, 239, 274, 283, 285, 297, 298, 300, 304, 318, 465, 485, 496, 511,
 512, 522, 531, 561, 570, 593, 662, 676, 677, 696, 698, 739, 816, 827,
 833, 834, 841, 842, 859, 882, 934, 936
 Leave of absence to 595

CRAVEN, HARVEY—

Appeared 4
 Petitions by 28, 586, 641
 Bills by 32, 111, 136, 149, 518
 Reports by 192, 213, 289, 290, 303, 304, 584, 624, 626, 673, 674, 683, 757, 905, 965,
 992, 993
 Motions by 47, 149, 152, 153, 156, 214, 522, 536, 541, 637, 733, 752, 755, 786, 787,
 896, 932
 Leave of absence to 315

CRAVENS, JOHN R.—

Appeared 3
 Elected President of the Senate 591
 Bills by 40, 578
 Petitions by 224
 Reports by 92, 753, 987
 Resolutions by 82, 148, 212
 Motions by 58, 83, 84, 877, 879, 881
 Leave of absence to 591
 Resolution of thanks to 957
 Closing address of, at adjournment 988
 Joint Resolution by 130

CULVER, MOSES C.—

Appeared 4
 Bills by 242
 Reports by 214, 479, 630, 631, 826, 828, 848
 Motions by 827, 964
 Leave of absence to 750

D

DEAF AND DUMB INSTITUTE—

Trustees of, elected 803

DE HART, RICHARD P.—

Appeared and qualified 4
 Bills by 316, 492, 594, 631, 707
 Petitions by 158, 629, 746, 783
 Reports by 190, 191, 192, 473, 502, 503, 504, 514, 577, 630, 690, 716, 795, 829, 847,
 923, 925
 Resolutions by 82
 Motions by 158, 555, 595, 896, 930
 Protests by 234
 Leave of absence to 240, 256

DICKINSON, TIMOTHY R.—

Appeared and qualified	4
Bills by.....	41, 294, 321
Reports by.....	247, 292, 293, 191, 492, 527, 687, 693, 694, 817
Motions by.....	119, 509, 687, 763
Resolutions by	107, 161
Leave of absence to	531

DILL, LIZZIE ST. CLAIR—

Voted for for State Librarian.....	103
------------------------------------	-----

DILLON, JOHN B.—

Voted for for State Librarian.....	103
------------------------------------	-----

DOORKEEPER, PRINCIPAL—

Samuel G. Thompson, elected and qualified	7
Communications from.....	58, 78, 234, 819
Resolution of thanks to.....	985

DOORKEEPER, ASSISTANT—

Richard H. Litson, elected and qualified.....	7
Communication from.....	78
Resolution of thanks to.....	985

E**EDMONDSON, BAZIL—**

Voted for for Prison Director.....	855
------------------------------------	-----

ELECTIONS—

Of President of the Senate.....	5
Of Secretary of the Senate.....	6
Of Assistant Secretary of the Senate.....	6
Of Doorkeeper	7
Of Assistant Doorkeeper.....	7
Of United States Senator.....	85
Of Canal Trustee	105
Of Agent of State.....	105
Of State Librarian.....	104
Of State Printer.....	139
Of Sinking Fund Commissioners.....	797
Of President of the Board and Trustees of the Benevolent Institutions.....	801
Of State Prison Directors.....	853

EXCUSED—

Mr. Mellett.....	305
Mr. March.....	305
Mr. Odell.....	305, 951
Mr. Conley.....	305
Mr. Wolfe.....	305
Mr. Shields.....	325
Mr. Cobb.....	561
Mr. Conner.....	608
Mr. Campbell.....	644
Mr. Shoulders.....	672
Mr. Newcomb.....	951
Mr. Studabaker.....	951
Mr. Robbins.....	134
Mr. O'Brien.....	709

F**FERGUSON CHARLES P.—**

Appeared and qualified.....	4
Bills by.....	75, 242, 252, 323
Petitions ay.....	189, 203, 512, 586
Reports by.....	590, 744
Resolutions by	68
Motions by.....	108, 259, 288, 596, 606, 663, 709, 711, 865
Leave of absence granted to.....	105

FITZGIBBON, MICHAEL—

Voted for for Trustee of Blind Institute	802
--	-----

G

GOVERNOR—

Message of Governor Hammond.....	19
Address of Governor Lane.....	52
Qualification of Governor Morton.....	88

GRIFFITH FRANCIS P.—

Elected and qualified as Assistant Secretary.....	7
Communication from.....	77
Resolution of thanks to.....	985

GRIFFITH, GEORGE W.—

Voted for for Principal Doorkeeper.....	7
---	---

GREEN, JOHN D.—

Voted for for State Librarian.....	103
------------------------------------	-----

GRUBB, GEORGE B.—

Appeared and qualified.....	4
Bills by.....	296
Petitions by.....	783
Reports by.....	829
Leave of absence granted to.....	240, 595

H

HAMILTON, ALLEN—

Appeared.....	3
Bills by.....	73, 205, 242
Petitions by.....	277, 466, 488, 500
Reports by.....	466, 570, 743, 771
Resolutions by.....	957
Joint Resolutions by.....	68
Declined voting.....	221, 222
Motions by.....	142, 199, 208, 267, 269, 296, 522, 644, 645, 654, 720, 882
Leave of absence to.....	593

HAMMOND, ABRAM A.—

Delivers his Gubernatorial Message.....	19
---	----

HANNA, HUGH—

Elected Director of State Prison, North.....	855
--	-----

HANNA, JOSEPH S.—

Elected Canal Trustee.....	105
----------------------------	-----

HOLLOWAY, WM. R.—

Appointed Governor's Secretary.....	100
-------------------------------------	-----

HAZLERIG, HARVEY G.—

Voted for for Trustee of Blind Institute.....	801
---	-----

HULL, JAMES S.—

Appeared and qualified.....	4
Bills by.....	41, 109, 498, 615
Petitions by.....	35, 127, 145, 224, 320
Protests by.....	233
Reports by.....	273, 278, 292, 516, 685, 686, 693, 744, 766
Resolutions by.....	29, 233
Motions by.....	29, 116, 145, 240, 274, 275, 283, 285, 286, 320, 486, 510, 555, 562, 605, 618, 619, 675, 676, 730, 736, 920
Leave of absence to.....	296

HUDSON, ROBERT N.—

Elected Agent of State	104
------------------------------	-----

I

INSANE ASYLUM—

Patrick P. Jameson and John W. Moody chosen Commissioners of..... 803

INSTITUTE FOR THE BLIND—

John Beard and Wm. M. Smith elected Trustees for..... 801

INSTITUTE FOR THE DEAF AND DUMB—

James C. Burt and John M. Kitchen elected Trustees of..... 803

J

JAMESON, PATRICK H.—

Elected Commissioner of Insane Asylum..... 803

JENKINSON, ISAAC—

Elected Sinking Fund Commissioner..... 798

JENNINGS, WILLIAM A.—

Voted for for State Prison Director..... 853

JOHNSTON, ARCHIBALD—

Appeared 4
 Reports by.....146, 236, 303, 470, 588, 671, 695, 745, 749, 830, 968, 969
 Resolutions by.....10, 29, 107, 108, 127, 128, 178, 499, 871
 Bills by.....161, 529, 766, 796
 Petitions by.....301, 586, 616
 Motions by.....15, 42, 44, 64, 69, 105, 116, 118, 144, 172, 160, 258, 304, 522, 537,
 540, 620, 671, 677, 775, 788, 799, 814, 831, 861, 891, 935, 984
 Declines to vote..... 65
 Leave of absence to.....178, 608

JONES, SMITH—

Appeared 3
 Reports by.....587, 588
 Resolutions by.....35, 107, 147, 244, 624
 Bills by.....39, 150, 649
 Petitions by..... 224
 Motions by.....116, 195, 262, 293, 482, 653, 675, 692
 Leave of absence to..... 750
 Refused to vote 680

JOINT CONVENTION—

To receive Governor's Biennial Message..... 19
 To count votes for Governor and Lieutenant Governor..... 50
 To administer oath of office to Oliver P. Morton..... 88
 To elect State Librarian, Canal Trustee and Agent of State..... 102
 To elect a State Printer..... 138
 To elect Sinking Fund Commissioners..... 797
 To elect State Prison Director..... 852

K

KEMP, NATHANIEL—

Elected Sinking Fund Commissioner..... 799

KITCHEN, JOHN M.—

Elected Trustee of Deaf and Dumb Institute..... 803

L

LANDERS, FRANKLIN—

Appeared and qualified..... 4
 Bills by.....111, 280, 519, 726
 Resolutions by.....126, 194, 497

LANDERS, FRANKLIN—Continued.

Leave of absence to.....	178, 240
Motions by.....	160, 258, 265, 462, 508, 638, 695, 738, 334, 872
Petitions by.....	526, 641, 670
Refused to vote.....	680

LANE, HENRY S.—

Declared by President of the Senate as duly chosen Governor of Indiana qualified and delivers his Inaugural Address.....	51
Nominated and voted for for United States Senator, and declared elected in Senate.....	84
Communication from.....	87

LIEUTENANT GOVERNOR—

Oliver P. Morton sworn into office as such.....	57
---	----

LINE, AARON B.—

Appeared.....	3
Voted for for President of the Senate.....	5
Bills by.....	31, 41, 113, 294
Petitions by.....	18, 70, 231, 315, 526, 670
Reports by.....	62, 75, 125, 200, 202, 237, 464, 478, 527, 589, 631, 712
Resolutions by.....	11, 50, 68, 81, 99, 101, 122, 497, 540, 552, 587, 793, 814, 995, 996
Motions by.....	34, 39, 45, 65, 70, 84, 91, 85, 92, 99, 105, 114, 116, 119, 124, 173, 178, 179, 235, 257, 258, 270, 297, 305, 314, 320, 322, 335, 452, 461, 482, 483, 488, 499, 511, 521, 523, 542, 544, 546, 562, 570, 585, 591, 593, 596, 602, 604, 613, 633, 638, 644, 651, 694, 701, 692, 723, 729, 734, 815, 817, 818, 874, 883, 929
Declined voting.....	897, 898

LITSON, RICHARD H.—

Elected Assistant Doorkeeper.....	8
Communication from.....	77
Resolution of thanks to.....	985

LOMAX, QUINTON—

Appeared.....	3
Petitions by.....	190, 235, 616, 670
Resolutions by.....	14, 209, 497, 607
Bills by.....	31, 32, 42, 149, 262, 281, 323
Motions by.....	47, 118, 120, 123, 258, 664

M**MARCH, WALTER—**

Appeared.....	4
Bills by.....	10, 16, 150, 243, 280, 295, 493, 515, 528, 579, 580, 601, 615, 648, 696, 704, 746
Joint resolutions by.....	108, 238
Appeals by.....	936
Resolutions by.....	14, 81, 101, 148, 505, 705, 766, 994
Reports by.....	175, 193, 203, 206, 229, 238, 260, 460, 463, 473, 480, 490, 500, 515, 558, 589, 617, 641, 671, 673, 674, 756, 763, 772, 847, 924, 970, 968, 992, 994
Excused from call of the Senate.....	305
Motions by.....	44, 109, 116, 152, 178, 270, 333, 507, 521, 540, 549, 564, 566, 572, 584, 592, 610, 652, 659, 663, 664, 688, 699, 700, 766, 770, 779, 781, 784, 789, 818, 827, 860, 879, 880, 882, 888, 893, 896, 897, 923, 929, 930, 932, 934, 935, 953

MELLETT, JOSHUA H.—

Appeared and qualified.....	4
Bills by.....	111, 261, 279, 498
Resolutions by.....	67, 68, 276, 845
Joint resolutions by.....	950
Reports by.....	195, 196, 272, 470, 523, 525, 572, 574, 575, 622, 626, 672, 711, 744, 763, 771, 832, 846
Motions by.....	33, 62, 65, 115, 120, 137, 177, 222, 276, 319, 552, 578, 595, 614, 620, 654, 734, 782, 833, 857, 839, 859, 936
Excused from call of Senate.....	305

McDANIEL, C. W.—

Voted for for State Prison Director.....	854
--	-----

MILLER, JOHN F.—

Appeared and qualified.....	4
Bills by.....	74, 113, 172, 197, 206, 241, 279, 280, 281, 295, 505, 594, 595
Petitions by.....	76, 300, 607
Reports by.....	146, 189, 474, 478, 489, 490, 525, 529, 547, 553, 560, 578, 618, 630, 681, 712, 745, 764, 765, 794, 829, 849, 925
Resolutions by.....	107, 233, 497, 499, 587, 985, 993
Joint resolutions by.....	520
Motions by.....	153, 155, 160, 162, 163, 177, 257, 259, 286, 297, 299, 306, 319, 530, 555, 591, 605, 611, 612, 638, 664, 702, 749, 777, 788, 883, 966

MOODY, JOHN W.—

Elected Trustee of Insane Asylum.....	804
---------------------------------------	-----

MORTON, OLIVER P.—

Declared elected and qualified as Lientent Governor of Indiana.....	51, 57
Assumed the Chair as President of the Senate.....	58
Sworn into office as Governor.....	88
Address of, in Joint Committee.....	88

MURRAY, CHARLES L.—

Appeared and qualified.....	4
Bills by.....	41, 73, 112, 134, 135, 241, 242, 280, 282, 493, 766
Petitions by.....	277, 466, 641
Reports by.....	18, 42, 203, 304, 705
Protests by.....	541
Resolutions by.....	13, 29, 36, 59, 68, 71, 92, 106, 115, 127, 197, 198, 209, 230, 244, 287, 497, 499, 503, 985
Joint resolutions.....	30
Motions by.....	33, 62, 70, 80, 81, 82, 89, 92, 106, 115, 119, 132, 139, 208, 210, 212, 221, 223, 232, 259, 269, 274, 287, 296, 300, 472, 498, 500, 503, 507, 526, 531, 532, 552, 556, 639, 646, 662, 669, 670, 676, 678, 692, 709, 720, 729, 700, 762, 775, 776, 783, 791, 818, 870, 875, 878, 920, 943
Leave of absence to.....	556

MESSAGES FROM THE GOVERNOR—

Biennial of Abram A. Hammond.....	19
Of Governor Morton announcing the appointment of Wm. R. Holloway as Private Secretary.....	100
Accompanying Resolutions of New York Legislature.....	164
Accompany Resolutions of Ohio Legislature.....	165
Announcing the approval of bills which originated in the Senate.....	181, 243, 302, 703, 774, 787, 814, 817, 847, 911, 981, 983, 986
Announcing the approval of bills that originated in the House.....	982

MESSAGES FROM THE HOUSE—

Informing the Senate of the organization of the House, and appointment of Committee to wait on the Governor.....	11
Informing the Senate of the appointment of a Joint Select Committee to wait upon the resident Clergy of Indianapolis to open the Session of the General Assembly with prayer.....	12
Inviting the Senate to the Hall of House to open the General Assembly with prayer.....	16
Informing the Senate of the appointment of a Joint Committee to wait upon the Governor.....	17
Inviting the Senate to the Hall of the House in Joint Convention to receive the Governor's Message.....	18
Inviting the Senate to meet to compare the returns of the election for Governor and Lieutenant Governor.....	32
Informing the Senate of the passage of a Resolution to go into the election of a United States Senator.....	48
Informing the Senate of the passage of a resolution inviting the President elect of the United States to visit the Indiana Legislature.....	48
Informing the Senate of the passage of a resolution and the appointment of a Committee to wait on Henry S. Lane and Oliver P. Morton.....	48
Inviting the Senate to the Hall of the House to witness the counting of the votes for Governor and Lieutenant Governor.....	50
Inviting the Senate to meet in the Hall of the House for the purpose of electing a United States Senator.....	80
Informing the Senate of the passage of a concurrent House resolution respecting the election of a United States Senator.....	85
Informing the Senate of the concurrence of the House in Senate resolution respecting the election of U. S. Senator.....	87
Informing the Senate of the election of Henry S. Lane as United States Senator on the part of the House, and inviting the Senate to the Hall of the House to attend the ceremony of administering the oath of office to Oliver P. Morton, who thereby had become Governor.....	88
Informing the Senate of the passage of House Joint Resolution No. 9.....	98
Informing the Senate of the passage of a concurrent resolution to go into election of State Librarian, Canal Trustee and Agent of State.....	99

MESSAGES FROM THE HOUSE—Continued.

Inviting the Senate to attend in the Hall of the House to go into an election of State Librarian, Canal Trustee and State.....	102
Inviting the Senate to participate with the House in raising the American Flag on the Dome of the State House.....	124
Informing the Senate of the passage of Senate resolution instructing the Committee on State Prisons to visit Michigan City and investigate matters connected with the State Prison, North.....	128
Announcing the passage of House bill No. 59.....	129
Informing Senate of the concurrence by the House in resolution to elect a State Printer and inviting their attendance.....	135
Inviting Senate to go into election of State Printer instantler.....	138
Informing Senate of passage of a resolution appointing a committee to district the State for Legislative purposes.....	167
Desiring the return of said resolution.....	168
Announcing the passage of House Joint Resolution No. 23.....	168
Announcing the passage of House Joint Resolutions Nos. 78 and 11.....	168
Announcing the passage of Senate bill No. 14.....	170
Announcing the passage of House bill No. 104.....	171
Bringing for the signature of the President House bill No. 59, and House Joint Resolution No. 9.....	173
Requesting signature of the President to House Joint Resolution No. 7.....	199
Announcing the passage of Senate Joint Resolution No. 9.....	203
Informing Senate of the reconsideration of the vote on said Joint Resolution and requesting its return.....	215
Announcing passage of House Joint Resolution No. 29.....	219
Announcing passage of Senate bill No. 97.....	223
Reporting House Joint Resolution No. 29 for the President's signature.....	233
Reporting House Joint Resolution No. 23 for the President's signature.....	251
Announcing passage of House bill No. 152.....	297
Announcing the passage of Senate bill No. 74.....	300
Announcing passage of concurrent resolution.....	301
Announcing passage of House bill No. 119.....	323
Announcing passage of House bill No. 1.....	324
Announcing appointment of Congressional Apportionment Committee.....	324
Announcing passage of concurrent resolution.....	324
Announcing passage of House bill No. 86.....	325
Announcing passage of Senate Joint Resolution No. 8.....	328
Reporting House bill No. 152 for President's signature.....	487
Announcing the passage of House bill No. 190, and Senate Joint Resolution No. 12.....	496
Bringing House bills Nos. 104 and 119 for the President's signature.....	550
Announcing the passage of House bill No. 5.....	562
Requesting the return of said bill to the House.....	563
Announcing concurrence of the House in Senate amendments to House bill No. 1.....	563
Bringing House bill No. 1 for the President's signature.....	563
Announcing concurrence by the House in Senate Joint Resolutions Nos. 6 and 7.....	563
Announcing the passage of House bill No. 39.....	564
Bringing House bill No. 190 for President's signature.....	572
Announcing the passage of Senate concurrent resolution.....	582
Announcing passage of House Joint Resolutions Nos. 22, 31 and 32.....	582
Announcing passage of House bills Nos. 3, 8, 44, 103, 107 and 167.....	583
Announcing passage of House bill No. 199.....	584
Announcing passage of House bill No. 283.....	606
Bringing House Joint Resolution No. 31 for President's signature.....	615
Announcing the passage of Senate bill 104 and Senate Joint Resolution No. 5.....	660
Announcing the passage of House bill No. 42.....	664
Announcing the passage of House bills Nos. 62 and 324.....	667
Announcing passage of concurrent resolution.....	668
Announcing passage of House bills Nos. 13, 46, 62, 69, 81, 76, 173, 161.....	668
Announcing the passage of House bills Nos. 84, 100, 106, 140, 238, 30, 64, 116, 225, 243, 263, and 335.....	697
Announcing the passage of House bill No. 328.....	703
Announcing the passage of House bills Nos. 77, 114, 115, 124, 129, 139, 135 and 296.....	730
Announcing the passage of House Joint Resolution 34.....	731
Announcing concurrence in Senate amendments to House bill No. 39, and bringing said bill for signature.....	733
Bringing House Joint Resolution 34 for signature.....	736
Announcing passage of Senate bill No. 31 with amendments.....	752
Announcing the passage of House bills Nos. 176, 322, 313, 72, 82, 89, 91, 122 and 159.....	759
Announcing passage of Senate bills 12, 24 and 29.....	760
Announcing passage of Senate bill No. 44, and returning Senate bill No. 161.....	761
Bringing House bills Nos. 140 and 3, and House Joint Resolution No. 13 for signature....	768
Announcing passage of Senate bill No. 7.....	768
Announcing passage of House bills Nos. 160 and 186.....	772
Announcing passage of concurrent resolution to go into election of Sinking Fund Commissioners.....	784
Bringing House bill 161 for President's signature.....	787
Announcing passage of Senate bill No. 203.....	795
Inviting the Senate to elect Sinking Fund Commissioners.....	797
Announcing concurrence in Senate amendment to House bill 84.....	829
Bringing House bill 84 for signature.....	841
Announcing concurrence in Senate amendments to House bill 243.....	841
Announcing passage of Senate bill No. 115.....	841
Bringing House bill No. 173 for signature.....	843
Announcing passage of House bill No. 336.....	842

MESSAGES FROM THE HOUSE—Continued.

Announcing passage of Senate bill No. 107 with amendment.....	844
Bringing House bill No. 243 for signature.....	846
Announcing the passage of a concurrent resolution to go into election for State Prison Directors.....	847
Inviting Senate to go into election for State Prison Directors.....	851
Announcing the passage of House bill No. 346.....	856
Announcing the passage of House bill No. 294.....	864
Announcing the passage of House bill No. 326.....	865
Announcing the passage of House bill No. 133.....	869
Bringing House bills Nos. 103, 42 and 283 for President's signature.....	877
Announcing the passage of Senate bill No. 217, with amendments.....	883
Announcing non-concurrence in Senate amendments to House bill No. 346.....	886
Announcing the passage of a concurrent resolution appointing committee to investigate Swamp Land Frauds.....	886
Announcing action of the House on Senate amendments to House bill No. 336.....	892
Announcing concurrence in the amendment by Free Conference Committee on House bill No. 346.....	894
Announcing passage of Senate bill No. 114, and the appointment of a Committee on Free Conference on House bill No. 336.....	895
Announcing the passage of House bill No. 348.....	898
Announcing appointment of a Committee of Free Conference on House bill No. 346.....	900
Announcing concurrence in Senate resolution to elect Trustees for the Benevolent Institutions, and a President of the Board.....	900
Announcing the passage of House bills Nos. 341, 269 and 145.....	901
Announcing the election on the part of the House of a President and Trustees for the Benevolent Institutions of the State.....	901
Announcing the passage of House bills 15, 188, 127, 10, 154, 165, 185 and 118.....	903
Announcing the passage of Senate bill No. 86.....	904
Announcing the passage of Senate bill No. 36.....	905
Announcing the passage of Senate bills Nos. 98, 23, 77, 20, 11, 52, 73 18 and 171.....	912
Announcing the passage of Senate bills 175, 117 and 57.....	914
Announcing the passage of House bill No. 44.....	914
Bringing House bill No. 133 for signature.....	915
Announcing the passage of Senate bill No. 177.....	920
Announcing the passage of Senate bill No. 19.....	922
Announcing the passage of House bill No. 317.....	926
Announcing the passage of Senate bill No. 136 and of House bill No. 295.....	933
Announcing the passage of House bill No. 242.....	938
Announcing non-concurrence in Senate amendments to House bill No. 848.....	940
Requesting return of House bill No. 349.....	941
Announcing the passage of Senate bill 187.....	947
Announcing the passage of House bill No. 86.....	948
Announcing the passage of Senate bill No. 169 and House bill No. 329.....	949
Announcing concurrence in report of Committee of Free Conference on House bill No. 348.....	958
Announcing the passage of House bill No. 342.....	962
Announcing the passage of House bill No. 244.....	963
Announcing the passage of House Joint Resolution 35.....	966
Announcing concurrence in the report of Committee of Free Conference on House bill No. 336.....	970
Announcing the passage of Senate Joint Resolution No. 19.....	970
Announcing the passage of Senate bills Nos. 185 and 277.....	971
Announcing concurrence in Senate amendments to House bill No. 188.....	971
Announcing the passage of Senate bills Nos. 279 and 45.....	972
Announcing concurrence in Senate amendments to House bills 135, 199 and 167.....	972
Announcing the passage of Senate bills 164 and 142.....	973
Bringing House bills 8, 349, 86 and 348 for signature.....	973
Announcing the passage of Senate bills Nos. 93, 138, 73, 260, 70, 153, 121.....	978
Announcing concurrence in amendment to House bill No. 64.....	980
Announcing appointment of Committee of Conference on House bill 348.....	980
Bringing House bills 325, 317, 15, 44, 186, 106, 294, 64, 77, 296, 326, 81, 82, 100 and 346 for signature.....	980
Bringing House bills Nos. 295, 91, 139, 167, 115, 199, 244, 188, 114, 135, 159, 342, 185, 155, 348, and Joint Resolutions 32 and 35 for signature.....	984
Announcing the passage of House Joint Resolution No. 38.....	994
Announcing the passage of House Joint Resolution No. 39.....	995
Announcing the passage of a concurrent resolution.....	996
Announcing the passage of a concurrent resolution.....	997
Announcing the passage of a concurrent resolution respecting the Northern State Prison.....	998
Informing the Senate that the House has completed its legislative business.....	998

N

NEWCOMB, HORATIO C.—

Appeared and qualified.....	4
Petitions by.....	100, 139, 271, 629, 766
Reports by.....	208, 461, 474, 477, 558, 591, 647, 750, 706, 849, 891
Resolutions by.....	995
Joint Resolutions by.....	877
Bills by.....	17, 31, 112, 141, 148, 247, 248, 280, 282, 322, 580, 707, 746

NEWCOMB, HORATIO C.—Continued.

Motions by.....	12, 44, 46, 64, 89, 98, 109, 117, 135, 138, 140, 141, 143, 145, 154, 157, 158, 188, 189, 240, 247, 248, 249, 267, 286, 299, 319, 333, 482, 507, 551, 552, 565, 571, 596, 626, 633, 348, 654, 695, 721, 735, 767, 775, 843, 846, 848, 857, 868, 869, 877, 908, 923, 931, 939, 943, 1006
Excused from voting.....	951
Leave of absence to.....	495

NEW YORK—

Resolutions of the Legislature of.....	164
--	-----

O

O'BRIEN, CORNELIUS—

Appeared.....	3
Petitions by.....	121, 204, 246, 288, 586
Resolutions by.....	29, 147
Bills by.....	112, 150, 163, 198, 205, 247, 316, 404, 480, 519, 528, 504
Motions by.....	121, 153
Leave of absence granted to.....	728
Excused from call of Senate.....	709

ODELL, JAMES—

Appeared.....	3
Petitions by.....	585
Bills by.....	197
Reports by.....	479, 588, 818
Resolutions by.....	125
Motions by.....	243, 257, 264, 664, 734
Excused from call and voting.....	305, 951
Leave of Absence to.....	592

OHIO—

Joint Resolution of the General Assembly of.....	166
--	-----

P

PARKS, PARMENTER M.—

Voted for for Sinking Fund Commissioner.....	799
--	-----

PATTERSON, GEORGE W.—

Voted for for Assistant Doorkeeper.....	8
---	---

PECK, EDWIN J.—

Voted for for Trustee Insane Assylum.....	893
---	-----

PETITIONS PRESENTED—

By Mr. Cravens, asking the passage of a law directing labor on public highways as a punishment for non-payment of fines, instead of imprisonment.....	29
Tarkington, asking the passage of a law suspending the collection of debts for one year	35
Hull, asking a change in the road law.....	35
Miller, from the County Commissioners of St. Joseph County, asking that manual labor schools and colleges be taxed, or exempted from taxation, as other benevolent or scientific institutions.....	76
Lane, asking protection for wild game.....	76
Clappool, upon the same subject.....	76
Line, asking protection for fish.....	76
Clappool, upon the same subject.....	76
Shields, asking the passage of a law authorizing County Treasurers to retain for each county its distributive share of the common school fund.....	92
Newcomb, from members of the Bar of Indianapolis.....	100
Wagner, from B. F. Gregory, asking relief for losses sustained by depreciation of State stock money.....	102
Conner, asking for the enactment of a militia law, and for the collection of the arms in the State, and for the transportation and subsistence of military encampments.....	114
O'Brien, from Michael Rouss, asking the enactment of a law authorizing County Commissioners to discharge persons from jail.....	121
Turner, from citizens of Lake County, asking the repeal of the act to authorize the formation of new counties, &c.....	121
Wagner, from Charles High and others, asking compensation for bringing criminals to justice.....	121

PETITIONS PRESENTED—Continued.

By Mr. Turner, from citizens of Lake County, asking for the passage of a law punishing the stealing of timber.....	121
White, from citizens of Montgomery County, asking the repeal of the law authorizing the formation of new counties, &c.....	125
Hull, from citizens of Ripley County, on the same subject.....	127
Wilson, on national affairs.....	145
Hull, respecting stock killed by locomotives.....	145
Shoulders, asking the repeal of the act for the formation of new counties, &c....	158
De Hart, asking the enactment of a law for the protection of sheep.....	158
Robinson, on the state of the Union.....	159
Wilson, asking the repeal of the act authorizing the formation of new counties, and changing county boundaries.....	173
Ferguson, on the state of the Union.....	189
Lomax, asking compensation for A. H. Miller.....	189
Cobb, on the State of the Union.....	189
Newcomb, from J. D. Stephenson.....	189
Beeson, from the State Board of Agriculture.....	189
Ferguson, from E. P. Rawlings.....	203
O'Brien, on national affairs.....	204
Jones, on same subject.....	224
Cravens, relative to collection of debts.....	224
Anthony, relative to repeal laws regulating the State prison and pilots at the falls.....	224
Hull, relative to stock killed by railroads.....	224
Line, relative to travel upon Harrison, New Trenton, Rochester, and Brookville turnpike.,	231
Lomax, on the state of the Union.....	235
Slack, on the same subject.....	235
White, from county officers, &c., of Warren County.....	235
O'Brien, from the Court and Bar of Dearborn County.....	246
Wilson, respecting repeal of new county law.....	246
Blair, relative to same subject.....	246
Robinson, from the Mount Sterling and Versailles Turnpike Co.....	260
Shoulders, on national affairs.....	263
Claypool, on same subject.....	263
Slack, on same subject.....	263
Beeson, relative to a law for protection of sheep.....	271
Carnahan, on the same subject.....	271
Newcomb, relative to the public printing.....	271
Anthony, relative to repealing the new county law.....	271
Murray, asking protection for sheep.....	277
Hamilton, on same subject.....	277
O'Brien, from Mayor and Council of Lawrenceburg.....	288
Miller, from the Brothers of St. Joseph Notre Dame du lac.....	300
Claypool, from A. M. Davis and Wm. M. Smith.....	300
Johnston, on national affairs.....	301
Tarkington, asking for an efficient liquor law.....	306
Line, from Harrison and Brookville Turnpike Co.....	315
Wilson, asking repeal of the new county law.....	315
Campbell, asking the passage of a bill.....	320
Bearss, on national affairs.....	320
White, respecting interest on money.....	320
Hull, from J. C. Kennedy.....	320
Williams, from A. M. Puett.....	458
Ray, on national affairs.....	458
Murray, asking protection for sheep against dogs.....	466
Hamilton, on national affairs.....	466
Hamilton, on national affairs.....	488
Teegarden, petition of citizens of Laporte county.....	488
Carnahan, asking protection for sheep.....	500
Hamilton, on national affairs.....	500
Ferguson, relative to a monument to Jonathan Jennings.....	512
Cobb, from Treasurer of Lawrence County.....	512
Williams, on national affairs.....	526
Slack, on same subject.....	526
Landers, on same subject.....	526
Line, from the Indiana Historical Society.....	526
Bearss, from citizens of Kosciusko County.....	550
Wagner, from Alexander Hazeland.....	553
Tarkington, proceedings of citizens of Brown County.....	585
Odell, memorial from citizens of Carroll County.....	585
Johnston, on the state of the Union.....	586
Ferguson, on the same subject.....	586
Studabaker, on the same subject.....	586
Ray, on the same subject.....	586
Bearss, asking repeal of the law relative to pay for licensing concerts.....	586
Wagner, from soldiers of war of 1812, and Mexican war.....	586
Claypool, on the state of the Union.....	586
O'Brien, on the same subject.....	586
Craven, on the liquor law.....	686
Tarkington, on the subject of temperance.....	686
Miller, respecting fish laws.....	607
Miller, respecting temperance laws.....	607
Lomax, on the state of the Union.....	616

PETITIONS PRESENTED—Continued.

By Mr. Johnston, on the same subject.....	616
De Hart, respecting establishment of Banks.....	629
Newcomb, asking passage of law giving liens.....	629
Berry, asking repeal of charter of turnpike company.....	641
Murray, asking for a law protecting sheep.....	641
Conley, on national affairs.....	641
Landers, on national affairs.....	641
Shoemaker, on the same subject.....	641
Craven, asking an appropriation for Kansas.....	641
Lomax, on national affairs.....	670
Wolfe on same subject.....	670
Line, on same subject.....	670
Landers, on same subject.....	670
Turner, respecting new county law.....	711
Teegarden, respecting Agricultural Societies.....	743
De Hart, relative to Bank of the State of Indiana.....	746
Williams, on national affairs.....	749
Wilson, on same subject.....	762
Newcomb, from W. R. Nofsinger.....	766
De Hart, on national affairs.....	783
Williams, on national affairs.....	783
Grubb, respecting destitute in Kansas.....	783
Ray, from the Attorney General.....	783
Wolfe, on national affairs.....	819
Blair, relative to the Crittenden amendment.....	987

PRESIDENT OF THE SENATE—

John R. Cravens elected.....	5, 91
Aaron B. Line voted for as such.....	5
O. P. Morton took the Chair as such.....	58
W. C. Tarkington voted for as such.....	91
Calls Joint Convention to order.....	19, 50, 88, 102, 138, 787, 852
Dissolves Joint Convention.....	28, 57, 89, 105, 139, 799, 856
Appoints Select Committees.....	11, 13, 15, 18, 46, 50, 58, 71, 76, 107, 161, 260, 270, 301, 311, 315, 317, 320, 497, 498, 512, 525, 531, 550, 586, 587, 595, 596, 626, 629, 640, 663, 664, 711, 770, 886, 893, 889, 908, 940, 956, 994, 996.
Laid before the Senate, reports from officers of the benevolent institutions.....	70
“ “ Report from Canal Trustee and officers of the Bank of the State and Branches.....	71
“ “ Communications from the Secretaries and Doorkeepers of the Senate.....	77
“ “ Communication from Henry S. Lane.....	87
“ “ Report of officers of Terre Haute Branch of the Bank of the State.....	114
“ “ Communication from the President of the Bank of the State.....	180
“ “ Report of the State Librarian.....	182
“ “ Communication from S. C. Wilson, Trustee.....	215
“ “ Communications from the Doorkeepers of the Senate.....	235
“ “ Communication from Superintendent Deaf and Dumb.....	260
“ “ Communication from Superintendent Public Instruction.....	306
“ “ Communication from President Indianapolis and Cincinnati.....	319
“ “ Communication from Superintendent Blind Institute.....	836
“ “ Communication from Superintendent Public Instruction.....	452
“ “ Communication from State Librarian.....	538
“ “ Abstract of the eighth census United States.....	505
“ “ Communications from State Librarian and from Elder & Harkness.....	670
“ “ Communication from the Auditor of State.....	696
“ “ Communication from the Governor, and reports from the Sinking Fund Commissioners, and Auditor, Treasurer and Secretary of State.....	739
“ “ Communication from Doorkeeper of Senate.....	819
“ “ Communication from Talbott & Costigan.....	845
“ “ Communication from State Librarian.....	992
Adjourned the Senate sine die.....	1000

PRESIDENT PRO TEMPORE—

George D. Wagner appointed.....	597
Dewitt C. Anthony appointed.....	602

PREVIOUS QUESTION DEMANDED—

By Mr. Wagner.....	9, 552, 722, 805, 863, 887
Line.....	45, 258, 523
Cravens.....	84
Ray.....	85
Slack.....	89
Teegarden.....	132
Anthony.....	326
Conley.....	462, 627

PREVIOUS QUESTION DEMANDED—Continued.

By Mr. Steele.....	532
Craven.....	536
Murray.....	552, 676, 780, 820, 838, 943
Miller.....	611
Hull.....	619, 676
Johnston.....	620
Connor.....	677, 935
Mellett.....	710, 734, 782, 833, 835, 839
Beauss.....	723, 809
Claypool.....	808, 822
Cobb.....	815
Turner.....	887
Blair.....	788

PROTESTS—

By Mr. Ray and other Senators.....	252
Hull.....	233
De Hart.....	234
Murray.....	541
Slack and other Senators.....	927

R

RALEIGH RICHARD—

Voted for for Canal Trustee.....	105
----------------------------------	-----

RAY, MARTIN M.—

Appeared and qualified.....	4
Bills by.....	128, 148, 203, 481, 629
Petitions by.....	458, 586, 783
Reports by.....	95, 290, 307, 475, 527, 689, 961
Joint resolutions by.....	68, 197
Appeals by.....	131
Protests by.....	252
Motions by.....	126, 131, 133, 149, 178, 204, 221, 259, 286, 287, 723, 755, 760, 827, 876, 932, 958, 987

RAY, JOHN W.—

Elected State Prison Director (South).....	853
--	-----

REFUSED TO VOTE—

Mr. Carnahan.....	680
Cobb.....	680
Jones.....	680
Landers.....	680
Slack.....	680
Johnston.....	65
Line.....	897, 898
Hamilton.....	221, 222

REPORTS FROM THE COMMITTEE ON AGRICULTURE—

By Mr. Beeson relative to Fair Grounds.....	122
Beeson on Senate bill No. 19.....	146
Johnston on Senate bill No. 16.....	146
Beeson on Senate bill No. 73.....	236
Johnston on Senate bill No. 99.....	236
Beeson on Senate bill 80.....	292
Beeson on Senate bill 133.....	309
Beeson on Senate bill 134.....	316
Beeson on Senate bill 73.....	463
Beeson on Senate resolution.....	492
Beeson on Senate bill 169.....	515
Beeson on Senate bill 195.....	575
Beeson on Senate bill 192.....	685
Beeson on House bill 199.....	690
Beeson on Senate bill 200.....	817

REPORTS FROM THE COMMITTEE ON BANKS—

By Mr. Claypool on Senate bill No. 86.....	224
Claypool on Senate bill 121.....	526
Steele on Senate bill 143.....	575
Steele on House bill 140.....	748
Steele on House bill 62.....	859
Steele on Senate bill 257.....	991
Steele on Senate bill 143.....	992

REPORTS FROM THE COMMITTEE ON BENEVOLENT INSTITUTIONS—

By Mr. Teegarden	576
Teegarden on Senate resolution.....	707
Teegarden	713
Teegarden on Senate resolution.....	906

REPORTS FROM THE COMMITTEE ON CLAIMS—

By Mr. Mellett on Senate bill No. 67.....	574
Mellett on the petition of A. H. Miller	575
Jones on the petition of A. M. Puett.....	587
Jones on the petition of B. F. Gregory	588
Johnston on the petition of Charles High.....	588
Robinson on the petition of A. W. Davis.....	630
Robinson on the petition of J. D. Stephenson.....	707
Mellett on Senate bill No. 267.....	744
Carnahan on the petition of W. R. Nofsinger	904
Johnston on the petition of Wm. M. Smith.....	968

REPORTS FROM THE COMMITTEE ON CORPORATIONS—

By Mr. Conner on Senate bill No. 39.....	236
Craven on Senate bill 48.....	303
Beeson on Senate bill 59.....	303
Johnston on Senate bill 76.....	303
Beeson on Senate bill 85.....	321
Shields on Senate bill 33.....	514
Conner on Senate bills 141 and 165.....	574
Beeson on Senate bill 191.....	623
Shields on Senate bill 231.....	624
Craven on Senate bill 50.....	624
Beeson on Senate bill 145.....	625
Craven on Senate bill 48.....	626
White on Senate bill 130.....	626
Conner on Senate bill 120.....	647
Craven on Senate bill 230.....	684
Shields on Senate bill 41.....	684
Conner on Senate bill 71.....	723
Johnston on Senate bill 180.....	749
Craven on House bill 326.....	905

REPORTS FROM THE COMMITTEE ON COUNTY AND TOWNSHIP BUSINESS—

By Mr. Shoemaker on Senate bill 13.....	200
Line respecting marriage licenses	200
Anthony respecting salaries of county officers.....	201
Murray on Senate bill 61.....	203
Shoemaker respecting transfer of deeds.....	209
Craven on Senate bill 53.....	214
Shoemaker on Senate bill 26.....	237
Culver on a resolution and Senate bill 108.....	479
Shoemaker on Senate resolution.....	577
Odell respecting township assessors.....	589
Culver on Senate bill 194.....	630
Culver on House bill 173.....	826
Culver on Senate bill 241.....	823
Culver on House bill 76.....	848

REPORTS FROM THE COMMITTEE ON EDUCATION—

By Mr. Miller on Senate bill 13.....	147
Miller on Senate bill 142.....	478
Line on Senate bill 111.....	478
Tarkington on Senate bill 160.....	479
Odell on Senate bill 94.....	479
Miller on Senate bill 66 and introducing Senate bill 217.....	529
Miller on Senate bill 217.....	680
Miller on Senate bill 198.....	712
Tarkington on Senate bill 227.....	712
Line on Senate bill 75.....	712
Anthony on Senate bill 225.....	713
Miller on House bill 100.....	745
Craven on Senate resolution.....	757
Blair on Senate resolution.....	757

REPORTS FROM THE COMMITTEE ON ELECTIONS—

By Mr. White on Senate bill No. 47.....	288
---	-----

REPORTS FROM THE COMMITTEE ON ENROLLED BILLS—

By Mr. Berry on Senate bill No. 14.....	179
Berry on Senate bill 97.....	233
Berry on Senate Joint Resolution 12.....	505

REPORTS FROM THE COMMITTEE ON ENROLLED BILLS—Continued.

Berry on Senate bill 104.....	680
Berry on Senate bills 12, 24, 29 and 44	768
Stone on Senate bill 7	773
Blair on Senate bill 31.....	775
Berry on Senate bill 203.....	805
Berry on Senate bill 107.....	849
Berry on Senate bill 115.....	863
Berry on Senate bill 114.....	911
Berry on Senate bill 45.....	970
Berry on Senate bills 153, 260, 185, 217, 57, 171, 177, 19, 136, 72, 121, 70, 52, 86, 117, 29, 98, 11, 36, 20, 77, 18, 79, 175, 49, 138 and 93	974

REPORTS FROM THE COMMITTEE ON FEDERAL RELATIONS—

By Mr. Cravens on Senate Joint Resolution No. 7	92
Ray on the same subject.....	95

REPORTS FROM THE COMMITTEE ON FINANCE—

By Mr. Claypool on resolution relative to replenishing the State Treasury	172
Wagner on Senate bill 55.....	172
Wagner on House bill 104.....	174
Mellett on Senate bill 37.....	270
Mellett on House bill 104.....	270
Blair on Senate bill 38.....	270
Steele on petition from Warren county.....	269
Conley on petition from Brown county.....	270
Steele on Senate bill 32.....	466
Hamilton on Senate bill 23.....	466
Claypool relative to bonds and stocks of the Free Banks on file in State Treas- ury	467
Conley on Senate bill 158.....	470
Johnston on Senate bill 135.....	470
Mellett on Senate bill 81.....	470
Blair on Senate bill 61.....	470
Conley on Senate bill 112.....	471
Shoemaker on Senate bill 140 and resolution 24.....	471
Wagner on a petition from citizens of Brown county.....	472
Tarkington on a petition from citizens of Montgomery county.....	472
Wagner on Senate bill 144.....	473
Wagner on House bill No. 1.....	512
Hamilton on Senate bill 114.....	570
Steele on Senate bill 190.....	571
Mellett on Senate bill 182.....	572
Shoemaker on Senate Joint Resolution 14.....	573
Wagner on Senate bill 197.....	573
Miller on Senate bill 204.....	622
Blair on Senate bill 55.....	622
Mellett on Senate resolution 61	626
Wagner on Senate bill 222.....	627
Wagner on Senate bill 115.....	628
Wagner on Senate bill 114.....	633
Johnston on Senate bill 207.....	671
Mellett on Senate bill 233.....	672
Mellett on Senate bill 251	711
Steele on Senate bill 121.....	721
Claypool on Senate bill 208	724
Hamilton on House bill 283.....	743
Blair on Senate bill 186.....	744
Johnston on House bill 13.....	749
Cravens on House bill 161	753
Wagner on House bill 325.....	756
Mellett on Senate bill 259.....	771
Hamilton on Senate bill 196	771
Claypool on Senate resolution.....	771
Conley on Senate resolution.....	779
Conner on Senate bill 68.....	819
Turner on Senate bill 121.....	823
Claypool on Senate bill 69.....	830
Wagner on House bill 336.....	861
Wagner on House bill 346.....	867
Blair on Senate bill 248.....	872
Tarkington on House bill 135	910
Wagner on House bill 348.....	915
Blair on House bill 116.....	957

REPORTS FROM COMMITTEES OF FREE CONFERENCE—

By Mr. Slack on House bill 346.....	891
Wagner on House bill 336.....	954
Wagner on House bill 348.....	955

REPORTS FROM JOINT COMMITTEES—

By Mr. Steele on Mr. Lincoln's visit to Indianapolis.....	293
Claypool on Senate resolution.....	722
Mellet on Senate bill 269.....	832
Studabaker on same subject.....	832

REPORTS FROM THE COMMITTEE ON THE JUDICIARY—

By Mr. Conner on Senate bill No. 14.....	136
March on Senate bill 9.....	175
Conner on Senate bill 65.....	176
Claypool on Senate bill 52.....	176
Miller on Senate bill 3.....	190
Claypool on Senate bill No. —.....	190
De Hart on Senate resolution respecting railroad companies.....	190
Conner on Senate bill 29.....	191
De Hart on resolution respecting marriage and divorce.....	191
De Hart on a resolution respecting County Commissioners discharging persons from Jail who are insolvent.....	192
Cobb on petition of citizens of Brownstown.....	192
Cravens on Senate bill 54.....	192
March on Senate resolution relative to County Treasurers.....	193
Conner relative to the petition of Johnson Wheeler and others.....	193
Mellet on Senate bill 45.....	195
Wolfe on Senate resolution relative to recognizances, sureties, &c.....	196
March on Senate bill 44.....	196
Newcomb on Senate bill 5.....	208
March on Senate bill 77.....	228
March on Senate bill No. 1.....	261
Studabaker on Senate bill 25.....	288
Slack respecting the Dam at Blue Island across Calumet River.....	289
Craven on Senate bill 54.....	289
Craven on Senate bill 17.....	290
Conner on a petition of citizens of Jefferson county.....	302
Studabaker on Senate bill 117.....	302
Ray on Senate bill 153.....	307
Wolfe on Senate bill 46.....	307
Wolfe on Senate bill 57.....	308
Slack introducing Senate bill 166.....	321
Conner on Senate bill 31.....	459
March on Senate bill 30.....	460
Newcomb on same subject.....	461
March on Senate bill 47.....	463
March on Senate bill 138.....	473
De Hart on Senate bill 92.....	474
Conner on Senate bill 146.....	474
Miller on Senate bill 123.....	474
Newcomb on Senate bill 114.....	475
Ray on Senate bills 109 and 156.....	475
Slack on Senate bill 155.....	475
Claypool on Senate bills 116 and 150.....	476
Slack on Senate bill 126.....	476
Newcomb on Senate bill 115.....	477
Miller on Senate bill 83.....	489
Miller on Senate bill 186.....	490
March on Senate bill 113.....	490
March on Senate bill 167.....	500
Conner on Senate bill 101.....	500
Claypool on Senate bill 163.....	502
De Hart on Senate bill 162.....	502
De Hart on Senate bill 2.....	503
Cobb on Senate bill 184.....	514
De Hart on Senate bill 110.....	514
Mellet on Senate bill 131.....	523
Mellet on Senate bill 132.....	525
Miller on Senate bill 106.....	525
Ray on Senate bill 185.....	527
Miller on Senate bill 90.....	547
Miller on Senate bill 179.....	553
Slack on Senate bill 104.....	554
Claypool on Senate bill 170.....	554
Conner on Senate bill 187.....	555
Slack on Senate bill 178.....	555
Wolfe on Senate bill 102.....	556
Claypool on Senate bill 209.....	558
March on Senate bill 206.....	558
Newcomb on Senate bill 45.....	558
Miller on Senate bill 174.....	560
Conner on resolution.....	573
Miller on Senate bill 204.....	578
Craven on Senate bill 64.....	581
Studabaker on Senate resolution.....	587
Claypool on House bill 167.....	616
Claypool on House bill 8 and Senate bill 235.....	617
March on Senate bill 226.....	617

REPORTS FROM THE COMMITTEE ON THE JUDICIARY—Continued.

Miller on House bill 39.....	618
Wolfe on Senate bill 43.....	621
Miller on Senate bill 237.....	630
March on Senate bill 1.....	642
March on Senate bill 245.....	671
March on Senate bill 219.....	673
Craven on Senate bill 202.....	673
Craven on Senate bill 54.....	674
March on Senate bill 228.....	674
Newcomb on Senate bill 68.....	705
Newcomb on Senate bill 69.....	706
March on House bill 42.....	756
Claypool on Senate bills 103 and 243.....	762
March on Senate bill 265 and on the petition of A. Pursell and others.....	763
Mellett on Senate bill 168.....	763
Studabaker on Senate bills 213 and 174.....	764
Miller on Senate bill 250.....	764
Conner on Senate bill 268 and House bill 44.....	765
Miller on House bill 30.....	765
March on Senate bill 223.....	772
Miller on Senate bill 64.....	794
De Hart on Senate resolution.....	795
Claypool on Senate bill 250.....	819
De Hart on House bill 81.....	829
Mellett on House bill 129.....	846
De Hart on Senate bill 176.....	847
March on Senate bill 273.....	847
Newcomb on House bill 123.....	892
Studabaker on Senate bill 229.....	904
March on House bill 106.....	924
Miller on House bill 322.....	955
Craven on House bill 115.....	965
March on House bills 52 and 46.....	968
Wolfe on House bill 69 and Senate bill 166.....	969
Wolfe on Senate bills 258 and 254.....	991
Craven on Senate bill 272.....	992
March on Senate bills Nos. 211, 95, 78, 161, 181, 205, 229 and 256.....	992
Craven on House bill 107.....	993
March on Senate bill 189.....	994

REPORTS FROM THE COMMITTEE ON MILITARY AFFAIRS—

By Mr. Murray on Senate bills 28 and 72.....	304
Craven on same subject.....	304

REPORTS FROM THE COMMITTEE ON THE ORGANIZATION OF COURTS—

By Mr. Cobb on Senate bill No. 100.....	278
Ray on Senate bill 42.....	290
Claypool on Senate bill 2.....	291
Conner respecting the Grand Jury system.....	292
Dickinson respecting Common Pleas system.....	292
Wolfe introducing Senate bill 159.....	308
Claypool on Senate bill 91.....	488
Cobb on Senate bill 93.....	489
Dickinson on Senate bill 151.....	491
Conner on Senate bill 136.....	491
Dickinson on Senate bill 152.....	492
Conner on Senate bill 89.....	573
Cobb on Senate bill 118.....	621
Conner on Senate bill 191.....	623
Conner on Senate bill 212.....	635
Conner on Senate bill 221.....	642
Cobb on House bill 3.....	685
Dickinson on House bill 86.....	687
Ray on Senate resolution.....	689
De Hart on Senate bill 188.....	690
Wolfe on Senate bill 270.....	796
Dickinson on Senate bill 247.....	817
Conner on House bill 213.....	825
De Hart on Senate bill 274.....	923
De Hart on Senate bill 274.....	925

REPORTS FROM THE COMMITTEE ON PRINTING—

By Mr. De Hart on Senate bill 172.....	504
De Hart on Senate resolution relative to the publication of the laws of the State in county newspapers.....	577
Wolfe offered a minority report.....	695
De Hart on Senate bill No. 4.....	716

REPORTS FROM THE COMMITTEE ON PHRASEOLOGY AND ARRANGEMENT—

By Mr. Claypool on Senate bills 29 and 54.....	201
March on Senate bill 44.....	203
Turner on Senate bill 45.....	209
March on Senate bill 85.....	480
March on Senate bill 157.....	515

REPORTS FROM THE COMMITTEE ON ROADS AND HIGHWAYS—

By Mr. Hull on Senate bill No. 36.....	273
Stone on the law respecting highways.....	278
Hull on the same subject.....	278
Hull on Senate bill 27.....	292
Hull on Senate bill 105.....	685
Robinson on House bill 183.....	686
Stone on Senate bill 193.....	686
Hull on Senate bill 167.....	686
Hull on Senate bill 246.....	744
Hull on Senate bill 122.....	766

REPORTS FROM THE COMMITTEE ON RIGHTS AND PRIVILEGES—

By Mr. Grubb on House bill No. 139.....	829
---	-----

REPORTS FROM THE COMMITTEE ON STATE PRISON—

By Mr. Anthony on Senate bill 222.....	643
Slack on Senate resolution.....	944

REPORTS FROM THE COMMITTEE ON SWAMP LANDS—

By Mr. Shields on Senate bill 87.....	647
Turner on Swamp Land frauds.....	691
Turner on Swamp Land frauds.....	805

REPORTS FROM THE COMMITTEE ON TEMPERANCE—

By Mr. Dickinson on Senate bill No. 8.....	247
Dickinson on Senate bill 20.....	527
White on Senate bill 139.....	690
Hull on Senate bill 22.....	693
Dickinson on same bill.....	693
Dickinson on petition from Madison county.....	694
Johnston on Senate resolution.....	695
Shields on Senate bill 34.....	825

REPORTS FROM SELECT COMMITTEES—

By Mr. Conley respecting Governor's Message.....	13
Murray respecting procuring the services of a clergyman to open the proceedings of Joint Convention with prayer.....	18
Murray respecting newspapers.....	42
Anthony respecting Stationery for the Senate.....	61
Line respecting the revision of the Rules of the last Senate.....	62
Line introducing Senate bill 38.....	75
Line on legislating for the protection of fish.....	125
Line relative to alteration in the game laws.....	202
March relative to the visit of the President elect of the United States to Indianapolis.....	206
Craven on Senate bill 74.....	213
Conley respecting law authorizing formation of new counties.....	237
Line respecting Senate Joint resolution 5.....	237
March on Senate Joint resolution No. 6 and introducing Senate Joint resolution No. 12.....	238
Conley on Senate bill 43.....	273
Anthony on same subject.....	273
Dickinson introducing Senate bill 148.....	293
Line on Senate bill 149.....	464
Hull on the petition of J. C. Kennedy.....	516
Claypool on Senate bill 40.....	516
Anthony on Senate bill 159.....	516
Line introducing Senate bill 210.....	527
Conner on Senate bill 31.....	560
Line on a petition respecting the Harrison and New Trenton and Brookville Turnpike Company.....	589
March relative to amendments to the 8th section of the State Constitution.....	589
Ferguson relative to a monument to the memory of Jonathan Jennings.....	591
Newcomb upon the same subject.....	591
Tarkington on Senate bill 100.....	629
Line on Senate bill 210.....	631
Bearss introducing Senate bill 249.....	632
Newcomb on the petition of Laporte attorneys.....	648
Steele on Senate bill 70.....	661

REPORTS FROM SELECT COMMITTEES—Continued.

Murray on Senate bill 134.....	705
Conley on House bill 86.....	721
Wagner on Senate bill 133.....	738
Ferguson on House bill 238.....	745
Johnston on Senate bill 266.....	745
Conner on Senate bill 252.....	748
Wagner on House bill 199.....	779
Steele on House bill 84.....	779
Miller on the State offices.....	830
Johnston on Senate bill 260.....	830
Odell on Senate bill 89.....	848
Miller on House bill 263.....	849
Newcomb on Senate bill 145.....	849
Williams on House bill 188.....	952
March on House bill 155.....	960
Ray, Williams and Steele on Senate bill 253.....	961
Blair informing Senate that the Governor had no further communication to make.....	995

REPORTS FROM COMMITTEES OF FREE CONFERENCE—

By Mr. Slack on House bill 346.....	801
Wagner on House bill 336.....	954
Wagner on House bill 348.....	955

REPORTS FROM COMMITTEE OF THE WHOLE SENATE—

By Mr. Williams on Senate bill 217.....	597
---	-----

RESOLUTIONS—

Of Ohio Legislature.....	166
Of New York Legislature.....	164
Of Indiana Senate. (See close of Index.)	

ROBBINS, RICHARD—

Appeared and qualified.....	4
Bills by.....	134
Excused from call of the Senate.....	143

ROBINSON, BENJAMIN L.—

Appeared.....	3
Bills by.....	262
Petitions by.....	159, 260
Resolutions by.....	160, 318
Reports by.....	630, 686, 707
Leave of absence to.....	585
Motions by.....	536, 562, 876

ROBINSON, MILTON S.—

Elected State Prison Director.....	854
------------------------------------	-----

ROSE, E. E.—

Voted for for Assistant Secretary of Senate.....	6
--	---

S

SECRETARY, PRINCIPAL—

James N. Tynor elected.....	6
Communications from.....	76
Resolution of thanks to.....	985

SECRETARY, ASSISTANT—

Francis P. Griffith elected.....	7
Communications from.....	77
Resolution of thanks to.....	985

SECRETARY OF STATE—

Communications from.....	739
--------------------------	-----

SHIELDS, MEEDY W.—

Appeared and qualified.....	12
Bills by.....	135, 171
Petitions by.....	92

SHIELDS, MEEDY W.—Continued.

Reports by.....	514, 624, 647, 684, 825
Resolutions by.....	100, 194, 208
Absence, leave of granted to.....	572, 750, 889
Excused from call of the Senate.....	325
Motions by.....	80, 98, 118, 120, 123, 156, 264, 285, 315, 569, 592, 644, 816
Permitted to record his vote on House bill No. 104.....	543

SHOEMAKER, JOHN C.—

Appeared.....	4
Petitions by.....	641
Bills by.....	41, 114, 137, 650
Reports by.....	200, 209, 287, 471, 573, 577
Motions by.....	120, 155, 156, 650
Leave of absence to.....	276, 750

SHOULDERS, THOMAS—

Appeared and qualified.....	4
Bills by.....	281
Petitions by.....	158, 263
Resolutions by.....	159
Motions by.....	259, 263, 572, 664, 665
Excused from voting.....	672
Leave of absence to.....	287, 692

SINKING FUND—

Communication from President of the Commissioners of.....	739
Election of Commissioners of.....	798

SLACK, JAMES R.—

Appeared.....	4
Petitions by.....	235, 263, 526
Bills by.....	16, 241, 320, 322, 323, 464, 480, 481
Reports by.....	289, 321, 475, 476, 554, 555, 891, 944
Resolutions by.....	8, 15, 29, 34, 63, 67, 69, 81, 85, 124, 896
Appeals by.....	534, 678, 875
Leave of absence to.....	178
Protests by.....	927
Refused to vote.....	680
Motions by.....	8, 28, 65, 83, 86, 89, 112, 124, 130, 232, 264, 275, 284, 304, 305, 327, 533, 542, 551, 552, 556, 562, 564, 570, 592, 611, 622, 615, 618, 623, 652, 687, 688, 807, 815, 875, 886, 938.

SMALL, REV. GILBERT—

Opens with prayer session of a joint convention.....	19
--	----

SMITH, WILLIAM M.—

Elected Trustee for the Institute for the Blind.....	802
--	-----

SPEAKER OF THE HOUSE—

Opens vote for Governor and Lieutenant Governor.....	51
--	----

SPECIAL ORDERS—

House bill No. 104.....	311, 318, 325
Minority report of Committee on Federal Relations.....	462, 553, 562, 632, 816
Senate bill No. 31.....	523, 531
Senate bill No. 217.....	593, 597, 623, 635, 750, 775
Resolution relative to remitting funds to the Border State Commissioners.....	593
Report of Select Committee respecting a monument to the memory of Jonathan Jennings.....	608
Senate bill No. 222.....	647, 675
Senate bills Nos. 133 and 134.....	730, 734
Resolution respecting the brevier reports.....	772, 778

STATE AUDITOR—

Communication from.....	696, 739
-------------------------	----------

STATE LIBRARIAN—

R. D. Brown elected.....	104
Communications from.....	183, 452, 670

STATE PRINTER—

Election of Berry R. Sulgrove as such.....	139
Joseph J. Bingham voted for as such.....	139

STATE PRISON—

Election of Directors of.....	854
Communications from Contractors of.....	844
Communication from Commissioners of.....	245

STATE TREASURER—

Communication from.....	235, 739
-------------------------	----------

STATE UNIVERSITY—

Report of the President of the Board of Trustees.....	215
---	-----

STEELE, GEORGE K.—

Appeared	4
Reports by.....	271, 293, 466, 571, 575, 661, 720, 748, 779, 858, 961, 991, 992
Resolutions by.....	174, 962
Motions by.....	87, 98, 114, 143, 161, 198, 215, 244, 532, 592, 754, 783, 899, 907, 929
Leave of absence to.....	592

STONE, ASAHUEL—

Appeared and qualified.....	4
Bills by.....	504, 519
Reports by.....	278, 686, 773
Resolutions by.....	127, 128, 159
Motions by.....	64, 156, 174, 259, 521, 692, 725, 930, 987, 996
Leave of absence to.....	178, 549

STOVER, DANIEL C.—

Voted for for Agent of State.....	104
-----------------------------------	-----

STUDABAKER, DAVID—

Appeared	244
Excused from call.....	142
Bills by.....	249, 594
Petitions by.....	586
Reports by.....	288, 302, 587, 764, 832, 904
Resolutions by.....	277, 985
Motions by.....	264, 276, 291, 522, 564, 565, 571, 593, 598, 602, 605, 606, 608, 619, 627, 640, 653, 695, 736, 836, 878, 881, 899, 923, 937
Appeals by.....	708
Excused from voting.....	951

SULGROVE, BERRY R.—

Elected State Printer.....	139
----------------------------	-----

SUPERINTENDENT OF BLIND INSTITUTE—

Communication from.....	319
-------------------------	-----

SUPERINTENDENT OF DEAF AND DUMB INSTITUTE—

Communication from.....	260
-------------------------	-----

SUPERINTENDENT OF PUBLIC INSTRUCTION—

Communications from.....	306, 336
--------------------------	----------

T

TALBOTT, WILLIAM H.

Communication from.....	70, 844
Voted for for President of Benevolent Institutions.....	801

TARKINGTON, WILLIAM C.—

Appeared.....	3
Bills by.....	240, 262, 309, 550, 579, 580, 595, 941
Petitions by.....	35, 306, 585, 586
Resolutions by.....	39, 67, 93, 122, 204, 213, 570, 995
Reports by.....	472, 478, 629, 712, 910
Motions by.....	9, 17, 18, 30, 62, 79, 86, 181, 219, 240, 227, 230, 255, 269, 283, 311, 325, 806, 807, 808, 813, 824, 835, 838, 931, 941, 942, 947, 963
Leave of absence to.....	300, 750
Voted for President of Senate.....	91
Joint resolution by.....	15

TEEGARDEN, ABRAHAM—

Appeared and qualified.....	4
Petitions by.....	488, 743
Bills by.....	242, 250, 295
Reports by.....	576, 707, 713, 906
Resolutions by.....	115, 196
Joint resolutions by.....	496
Motions by.....	131, 132, 619, 861, 862, 931

TURNER, DAVID—

Appeared.....	3
Bills by.....	72, 111, 113, 157, 321, 517, 578
Petitions by.....	121, 711
Reports by.....	209, 691, 805, 823
Resolutions by.....	12, 49, 67, 99, 176, 310, 499
Motions by.....	17, 88, 111, 121, 140, 144, 157, 164, 215, 246, 258, 268, 285, 286, 310, 517, 539, 554, 750, 827, 848, 862, 864, 886
Leave of absence to.....	300

THOMPSON, SAMUEL G.—

Elected Principal Doorkeeper.....	7
Communications from.....	58, 78
Resolution of thanks to.....	985

TYNER, JAMES N.—

Elected and qualified as Principal Secretary.....	6
Communication from.....	77
Resolution of thanks to.....	985
Granted leave of absence.....	596

U

UNITED STATES SENATOR—

Resolution of the Senate respecting.....	81, 82
Resolution of the House respecting.....	80, 85
Election of Henry S. Lane.....	85
Joseph A. Wright voted for.....	85

V

VAWTER, JAMES H.—

Directed a call of Senators.....	3
----------------------------------	---

W

WABASH AND ERIE CANAL—

Report of Trustee laid before the Senate.....	71
Trustees of elected.....	105

WAGNER, GEORGE D.—

Appeared.....	4
Bills by.....	74, 137, 148, 163, 323, 549, 579, 580, 725, 726
Petitions by.....	102, 121, 533, 586
Reports by.....	172, 174, 472, 473, 512, 573, 627, 633, 738, 756, 773, 861, 867, 915, 954, 955
Resolutions by.....	8, 9, 49, 108, 122, 814, 846
Motions by.....	5, 6, 18, 29, 40, 34, 46, 49, 62, 68, 72, 79, 81, 84, 85, 86, 121, 137, 141, 143, 151, 152, 156, 162, 171, 172, 177, 179, 182, 208, 311, 313, 326, 481, 512, 513, 531, 532, 535, 542, 543, 549, 552, 553, 565, 569, 585, 591, 592, 608, 610, 637, 667, 680, 687, 688, 690, 691, 692, 695, 696, 721, 724, 726, 735, 755, 758, 760, 761, 767, 772, 773, 783, 796, 805, 806, 815, 818, 822, 835, 840, 841, 843, 845, 956, 857, 860, 862, 864, 867, 869, 885, 886, 892, 893, 897, 898, 899, 919, 930, 931, 932, 940, 993
Appointed President pro tem.....	597

WALLACE, ANDREW—

Elected President of the Board of Trustees of the Benevolent Institutions.....	801
--	-----

WHITE, MICHAEL D.—

Appeared and qualified.....	3
Bills by.....	278, 503, 598, 602
Petitions by.....	125, 235, 320
Reports by.....	288, 626, 690
Motions by.....	120, 125, 127, 276, 556, 760, 787, 804
Leave of absence to.....	114

WILLIAMS, JAMES D.—

Appeared.....	23
Bills by.....	275, 988
Petitions by.....	458, 526, 749, 783
Reports by.....	597, 952, 961, 988
Resolutions by.....	67, 993
Motions by.....	11, 80, 91, 122, 128, 129, 180, 131, 132, 142, 144, 155, 197, 222, 269, 275, 306, 315, 323, 325, 458, 513, 552, 570, 592, 597, 605, 606, 632, 657, 678, 722, 724, 732, 767, 775, 781, 836, 837, 840, 875, 882, 907, 947 948
Granted leave of absence.....	240, 488

WILLIAMS, WILLIAM—

Elected State Prison Director.....	853
------------------------------------	-----

WILSON, HENRY K.—

Appeared.....	4
Bills by.....	40, 74, 111, 150, 205, 504, 518
Petitions by.....	145, 173, 246, 315, 768
Resolutions by.....	159, 192
Motions by.....	152, 177

WOLFE, SIMEON K.—

Appeared and qualified.....	4
Bills by.....	74, 113, 241, 649, 650
Petitions by.....	670, 819
Reports by.....	195, 307, 308, 556, 621, 695, 796, 969, 991
Resolutions by.....	101, 106, 707
Joint resolutions by.....	188, 195
Appeals by.....	210, 677
Motions by.....	115, 178, 202, 220, 234, 240, 258, 268, 271, 274, 536, 556, 592, 606, 611, 614, 631, 636, 639, 658, 666, 676, 688, 691, 708, 720, 723, 734, 777, 874, 876
Leave of absence to.....	315
Excused from call of Senate.....	305

WOOLEN, THOMAS W.—

Voted for Trustee of the Deaf and Dumb Institute.....	803
---	-----

WRIGHT, JOSEPH A.—

Voted for for United States Senator.....	84
--	----

BILLS OF THE SENATE.

1033

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
1	A bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State							
2	A bill to repeal an act entitled "An act to establish Courts of Conciliation, to prescribe rules and proceedings therein, and compensation of Judges thereof," approved June 11, 1852.....	10	March,	17, 115, 261, 610, 642, 800				
3	A bill to amend the 18th section of an act, entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions," approved May 29, 1852.....	16	Slack,	32, 291				
4	A bill regulating the public printing of the State of Indiana, fixing the compensation therefor, prescribing the duties of certain officers therein named, and to abolish the office of State Printer and to repeal all laws in conflict with this act.....	16	Cobb,	33, 190				
5	A bill to amend section 238 of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.....	16	March,	53, 716				
6	A bill to repeal an act, entitled "An act to authorize the formation of new counties and to change county boundaries," approved March 7, 1857.....	17	Newcomb,	33, 209	254			
7	A bill supplemental to an act, entitled "An act concerning real property and the alienation thereof," approved May 6, 1852.....	31	Conley,	46, 142				
8	A bill to amend the first section of an act, entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1859.....	31	Newcomb,	46, 117, 142	143	768	773	787
9	A bill to amend section nine of an act, entitled "An act providing for the election and qualifications of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 19, 1852.....	31	Line,	46, 247, 507, 651				
10	A bill to amend the 102d and 149th sections of an act, entitled "An act to provide for a general system of Common Schools, the Officers thereof, and their respective powers and duties and matters properly connected therewith, and to establish Township Libraries, and for the regulation thereof," approved March 5, 1855.....	31	Claypool,	46, 175				
		31	Lomax,	46				

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
11	A bill to amend section 151 of an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 21, 1852.....	32	Conner,	47		912	976	981
12	A bill to amend the sixteenth section of an act, entitled "An act touching the relation of guardian and ward," approved June 9, 1852.....	32	Craven,	47	254	760	768	774
13	A bill to amend the 5th section of an act, entitled "An act to provide for the more uniform mode of doing township business prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859.....	32	Lomax,	47, 147, 200				
14	A bill to amend section forty-eight of an act, entitled "An act for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereto, and certain forms to be used in such settlements,".....	34	Carnahan,	47, 136, 140	141	170		181
15	A bill to amend the 420th section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.....	39	Conley,	116				
16	A bill requiring township assessors to ascertain the number of sheep killed and injured by dogs	39	Jones,	116, 146	205			
17	A bill allowing prosecuting attorneys a per centage on all moneys collected on forfeited recognizances.....	40	Wilson,	116, 290, 508				
18	A bill to amend the 315th section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.....	40	Conner,	116	205	913	977	982
19	A bill to amend the 3rd section of an act, entitled "An act to provide for the protection of wild game, defining the time in which the same may be							

20	taken or killed, and declaring the penalty for the violation of this act, approved February 26, 1857.....	40					984
	A bill supplemental to an act, entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof," approved March 5, 1859.....	40					
21	A bill to apportion the Senators and Representatives in the State for the next six years.....	41					
22	A bill to secure the payment of moneys due for licenses for the sale of intoxicating liquors into the county treasury by taxing the same against the property in which, or upon which, such liquors are vended, and to provide that all moneys received for license to sell intoxicating liquors shall be added to the principal of the Common School Fund in the counties wherein received.....	41					
23	A bill to amend the 70th section of an act, entitled "An act for the valuation and assessment of real and personal property and the collection of taxes in the State of Indiana, and for the election of township assessors, and prescribing the duties of township assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	41					
24	A bill to amend the sixth section of an act, entitled "An act for the encouragement of Agriculture," approved February 17, 1852.....	41					
25	A bill to authorize Justices of the Peace, Judges of Courts and Mayors of Cities to administer oaths generally." Title amended—"A bill authorizing Justices of the Peace, Mayors of Towns and Cities, and Clerks of Circuit and Common Pleas Courts to administer oaths generally, and County Auditors in certain cases, and to legalize such as may heretofore have been administered by any of said officers.....	41					
26	A bill supplemental to an act, entitled "An act to provide for the re-location of county seats and for the erection and preparation of county buildings in counties where two-thirds of the legal voters have petitioned designating a site, and a house to be used as a Court House, and where a deed has been executed; to provide also for the transfer of any equitable title for the termination of actions growing out of such re-location, and for the transfer of the former county property," approved December 22, 1858, so as to legalize and confirm the action of Boards of Commissioners in cases where public property has been conveyed under the provisions of such act, and to provide for the conveyance of the asylum for the poor in certain cases, and to provide also that the Trustees created under the act to which this is supplemental shall constitute bodies politic and corporate.....	42					
27	A bill to enable persons objecting to the location, vacation, or change of any public highway to remonstrate against the same.....	42					
28	A bill for the organization of the Indiana Militia, prescribing duties of certain officers, providing for a military fund and its disbursement, for punishing failures, refusals, and negligence in connection with the service and for the repeal of all existing laws having reference to said militia.....	72					
			Claypool,	118, 146	255	922	974
			Cravens,	118, 527, 610	611	912	977
			Dickinson,	118, 987			
			Murray,	118, 119, 693			
			Hull,	119, 466			
			Line,	119	255	760	774
			Dickinson,	119, 288	508	912	974
			Shoemaker,	119, 237			
			Lomax,	120, 292	266		
			Anthony,	72, 151, 304			

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
29	A bill to amend section fourteen of an act, entitled "An act defining misdemeanors, and prescribing punishment therefor".....	72	Turner,	72, 120, 191, 201	256	760	768	774
30	A bill to amend sections four, five, eighteen, twenty-one and twenty-two of an act, entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852, and repealing sections twenty-nine and thirty of said act.....	73	Blair,	73, 120, 460, 463	612			
31	A bill to perfect the title of purchasers of railroads sold by foreclosure or other proceedings in law or equity, or pursuant to the provisions of mortgages or deeds of trust, or by the joint exercise of those authorities, and to enable them to organize corporations, and to exercise corporate and other powers.....	73	Hamilton,	73, 143, 459, 487, 521, 523, 531, 560	561	752	752, 775	814
32	A bill to amend an act, entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes, the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State" approved June 21, 1852.....	73	Murray,	143, 146				
33	A bill to punish employees in railroad companies for embezzling or stealing railroad tickets, coupons, or monies, belonging to such company, and prescribing the mode of punishment therefor.....	74	Wilson,	144, 514				
34	A bill to amend sections two and five of an act, entitled "An act to regulate and license the sale of spirituous, vineous, malt and other liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing punishment for the violation thereof," approved March 5, 1853.....	74	Wolfe, Wagner,	144, 825 144				
35	A bill to apportion Senators and Representatives for the next six years.....	74	Miller,	144, 273	509	905	976	981
36	A bill to amend the 49th section of an act, entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852.....	74	Wolfe,	144, 272, 569				
37	A bill to amend the first section of an act, entitled "An act relative to the salaries of public officers, and providing the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1853.....	74	Line, from select, committee.	144, 272	510			
38	A bill authorizing county auditors to purchase justices' dockets, and to pay for the same out of the county treasury, and to provide for the safe keeping of the same.....	75						

39	A bill to give the same force and effect to surveys made by city surveyors in certain cases, as if made by county surveyors, and authorizing repairs therefrom.....	75	Ferguson,	236, 596			
40	A bill for the protection of fish, and defining the penalties for the violation of this act, and the recovery of said penalties.....	75	Claypool,	145, 257, 516, 612, 613			
41	A bill supplemental to an act, entitled "An act to amend sections one and two of an act to provide compensation to the owners of animals killed or injured by the cars, locomotives, or other, carriages, of any railroad company in this State," approved March 1, 1853, and to provide the manner of the service of process.....	109	Hull,	151, 684			
42	A bill to amend section eight and section ten of an act, entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.....	110	Conley,	151, 290			
43	A bill to authorize the formation of new counties, and to change county boundaries, and to repeal all laws inconsistent herewith.....	110	Turner,	110, 273, 283, 286, 621			
44	A bill to make the copy of the register, catalogue and description of lands sold at any of the land offices within this State, and furnished by the Auditor of State to the Board of Commissioners of any county, prima facie evidence of the truth of their contents in all civil actions.....	111	Wilson,	151, 196, 203	266	761	774
45	A bill to amend section three of an act, entitled "An act to provide for the election of a reporter, and the speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 5, 1852.....	111	Mellet,	152, 195, 209, 267, 558	756	972	970
46	A bill to amend the 57th and 59th sections of an act, entitled "An act defining misdemeanors and prescribing punishment thereof," approved June 14, 1852, and supplemental thereto, to prevent illegal voting, to prevent immigration or passing from any other county or township in this State, to any other county or township therein, or from any ward in any incorporated city or town to any other ward therein, for the purpose of fraudulent voting, prescribing penalties for aiding, abetting, or assisting in such immigration or passing, with intent to procure fraudulent voting, and to prevent forged or fraudulent poll books, ballots or returns, and prescribing penalties therefor, and to preserve the purity of elections.....	111	Lauders,	152, 265, 263, 307	510		
47	A bill to amend the 5th and 21st sections of an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 17, 1852, so as to define the residence of electors, and preserve the purity of elections.....	111	Landers,	152, 288, 463			
48	A bill to provide compensation to the owners of animals killed or injured by the cars, locomotives or other carriages of any railroad company in this State.....	111	Craven,	153, 303, 510, 540, 636			
49	A bill to provide for struck juries in the Circuit and Common Pleas Courts.....	112	Newcomb,	153	267	912	977
50	A bill to amend the 59th section of an act, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857.....	112	O'Brien,	153, 624			983

BILLS OF THE SENATE—Continued.

1038

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
51	A bill to amend the 95th, 97th, 98th, 99th and 101st sections of an act, entitled "An act to provide for a general system of common schools, the officers thereof and their respective duties, and matters properly connected therewith, and to establish township libraries and for the regulation thereof," approved March 5, 1855, and repealing all laws or parts of laws laws coming in conflict with this act.	112	Murray,	153				
52	A bill to amend the 352d section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 14, 1852.	112	Claypool,	154, 176	568	913	974	982
53	A bill to provide proper offices for the use of county surveyors, providing for the recording of surveys, and declaring the character of such records as evidence, defining certain of the powers and duties of county surveyors, and prescribing fees for services contemplated in this act.	113	Miller,	154, 215				
54	A bill regulating docket fees of district attorneys in the Courts of Common Pleas and before justices of the peace, and regulating prosecuting and district attorneys' fees for prosecutions on forfeited recognizances.	113	Line,	154, 192, 201, 268, 269, 270, 289, 614, 663, 664, 674	858			
55	A bill to provide for stationery and postage for members of the General Assembly of the State of Indiana, to provide for employing reporters and the publication of the proceedings of the Legislature in certain newspapers, and to provide for the taking of the same.	113	Conley,	154, 172, 507, 622	794			
56	A bill to amend section ten of an act to amend the first section of an act, entitled "An act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857, so as to allow new counties to be formed out of territories of less than four hundred square miles, and prescribing how the number of qualified voters shall be ascertained, approved March 6, 1859.	113	Turner,	154	268			
57	A bill to amend the first section of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State," approved June 21, 1852, and to legalize the action of boards of county commissioners in	113						

58	regard to the levying of poll taxes for county purposes, and declaring an emergency for the immediate taking effect of this act.....	113 Wolfe,	154, 296, 308	614	914	922, 974	983
59	A bill to amend an act, entitled "An act relative to the salary of public officers, and to provide the manner of paying the same, and the manner of reimbursing the State for an increase of salaries," approved March 5, 1859.....	114 Shoemaker,	155				
60	A bill to amend the first section of an act, entitled "an act for the incorporation of manufacturing and mining companies for mechanical, chemical and building purposes," approved May 20, 1852, so as to provide for the incorporation of companies to furnish motive power to carry on such business, or to supply any city or village with water.....	128 Ray,	155, 303				
61	A bill defining certain felonies, and prescribing punishment therefor.....	134 Robbins,	155, 296				
62	A bill to require the county treasurers to settle with the county auditors for the delinquent tax collected, and to regulate the accounting for the same, and to repeal an act to amend the 103d section of an act, entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, and for the election of township assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State.....	134 Murray,	155, 203, 471				
63	A bill to provide for the collection of claims against railroad companies for labor done for said companies, for material furnished in the construction of railroads within this State, for fuel furnished for the running of said roads, and stock killed by the cars, locomotives and other carriages of railroads within this State.....	135 Shields,	155				
64	A bill to change the time when the township trustees shall apportion the public monies for school purposes amongst the schools thereof, and to repeal all acts and statutes in conflict herewith.....	135 Murray,	156				
65	A bill to provide for the rights of married women in cases of the sale of lands on execution, or by virtue of any judicial proceeding, and in all other cases where the wife does not consent to the sale.....	136 Craven,	156, 581, 795				
66	A bill to dispense with the summoning and selecting a petit jury for Courts of Common Pleas, where the business does not require it.....	137 Shoemaker,	156, 176	651			
67	A bill to provide for a general system of common schools, the officers thereof, and their respective powers, duties and matters properly connected therewith, and to establish township libraries, and for the regulation thereof.....	137 Wagner,	137, 156, 529				
68	A bill to provide compensation to persons who may bring to justice fugitives from the same, and prescribing the duties of county commissioners in relation thereto.....	141 Blair,	156, 574				
69	A bill to establish an insurance department, providing a commissioner thereof, prescribing the mode of his election, and defining his powers and duties.....	141 Newcomb,	156, 705, 819				
70	A bill to regulate the business transacted in this State by any fire, marine, life, health or live stock insurance companies, not incorporated under the laws of this State, and imposing penalties for non compliance of the provisions of this act.....	141 Newcomb,	157, 706, 850,	851			
71	A bill for the relief of Lot Edwards.....	148 Newcomb,	161, 661	755	979	975	983
	A bill to provide for the incorporation of street railroad companies.....	148 Newcomb,	162, 724	805			

BILLS OF THE SENATE—Continued.

1040

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
72	A bill supplemental to an act, entitled "An act to organize the militia, providing for the appointment, and prescribing the duties of certain officers thereof," approved June 14, 1852, and repealing sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of said act, and providing for a more perfect organization of the militia, and matters properly connected therewith.....	148	Ray,	149, 205, 304				
73	A bill to amend an act, entitled "An act to authorize county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to legalize purchases heretofore made.....	149	Lomax,	162, 236, 299, 403	657	979		983
74	A bill to fix the time of holding the Circuit Courts in the Seventh Judicial Circuit, composed of the counties of Hancock, Hamilton, Madison, Delaware, Tipton, Howard and Blackford, and repealing all laws in conflict therewith.....	149	Craven,	150, 213	214	300	301	302
75	A bill to amend the fifth section of an act, entitled "An act to provide for the sale of County Seminaries and the property belonging thereto, and to transfer the proceeds thereof to the Common School Fund, after deducting advances made by individuals, and to repay such advances," approved June 12, 1852.....	150	Wilson,	162, 712				
76	A bill to legalize the listing and assessment of property in the cities of this State, and the making out of the tax duplicates of such cities, and to authorize the treasurers and collectors of such cities to collect taxes in certain cases.....	150	O'Brien,	162, 303	655			
77	A bill to amend the thirty-third section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.....	150	Jones,	162, 228, 299	299	912	977	982
78	A bill to provide for oral argument and speedy decisions of causes in the Supreme Court, and to repeal all laws inconsistent with this act.....	150	March,	162, 992				
79	A bill to amend section eleven of an act, entitled "An act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalties for the violation of this act," approved February 26, 1857.....	157	Turner.	162	299	913	977	982
80	A bill to repeal an act, entitled "An act to provide for the protection of							

81	wild game, defining the time in which the same may be taken or killed, and declaring the penalties for the violation of this act," approved February 26, 1857.....	158	Conley,	163, 292			
82	A bill to amend the 51st section of "An act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.....	161	Johnston,	311, 470	658		
83	A bill to repeal an act to amend the 143d section of an act, entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors and prescribing the duties of certain officers," approved June 21, 1852, approved March 4, 1859.....	161	Johnston,	312	656		
84	A bill assessing tax for Common Schools and providing for the collection, distribution and expenditure thereof.....	163	Wagner,	312			
85	A bill to amend section second of an act, entitled "An act to authorize the formation of new counties, and to change county boundaries," approved March 7, 1857.....	163	Wagner,	312			
86	A bill to legalize the appraisement and assessment of property in the cities of this State and the making out and delivering of tax duplicates in the cities of this State in certain cases.....	163	O'Brien,	312, 321, 480	784		
87	A bill the 4th, 6th, 7th and 49th sections of an act, entitled "An act to amend an act to authorize and regulate the business of general banking," approved March 31, 1855.....	170	Claypool,	171, 224, 227, 465, 481	506	976	981
88	A bill for the relief of sundry citizens of Jackson and Washington counties.....	171	Shields,	312, 647	858		
89	A bill to amend section 71 of an act, entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereof, and certain forms to be used in such settlement," approved June 18, 1855.....	172	Miller,	312, 489	659		
90	A bill to establish Probate Courts in the several counties of this State and defining the jurisdiction and duties of and providing compensation for the judges thereof.....	197	Odell,	243, 574, 604, 848			
91	A bill declaratory of the meaning of the words "final judgments" as used in section 550, article 27, chapter 1, of an act to revise, simplify, and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State abolishing distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, approved June, 18, 1852.....	198	Miller,	313, 547			
92	A bill to amend the 40th section of an act, entitled "An act to establish Courts of Common Pleas and defining the jurisdiction and duties of and providing compensation for the judges thereof," approved May 14, 1852, and supplemental to said act providing a penalty for the violation of said act, as amended by any judge of a Court of Common Pleas in this State.....	198	O'Brien,	313, 488			
93	A bill to empower notaries public to solemnize marriages.....	205	Wilson,	313, 474			
	A bill to amend section seven of an act, entitled "An act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5th, 1859, so as to change the times of holding said Courts.....						

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Pro-ceedings.	Approved.
94	in Jackson and Bartholomew counties, and declaring when this act shall take effect..... A bill to provide for the collection of taxes assessed against lands and lots mortgaged to secure loans made of the Sinking Fund, Surplus Revenue Fund, Saline Fund, Congressional Township Fund, Seminary Fund, College Fund, and any other public or Trust Fund to prevent loss of the securities held by said funds; and to repeal the 8th section of chapter six of the Revised Statutes of 1852.....	205	Cobb,	313, 489	654	978	978	983
95	A bill to provide for the sale and conveyance of property by sheriffs of counties, when judgments are rendered and execution issued, owned by corporations lying therein and extending through and being in more than one county, and to enlarge the jurisdiction and powers of sheriffs, and to provide for the mode of giving the notice of such sale.....	205	O'Brien,	313, 479				
96	A bill relating to judgments upon instruments of writing containing a promise to pay money without relief from valuation or appraisalment laws...	205	Hamilton,	317, 992				
97	A bill to amend section twenty-one of an "Act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, and declaring when this act shall take effect.....	206	Miller,	318	656			
98	A bill to amend the thirteenth and fourteenth sections of an act, entitled "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.....	211	Conner,	211	211	223	223	243
99	A bill to repeal section 73 of an "Act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 21, 1852.....	229	March,	318	657	912	976	981
100	A bill to create the Fourteenth Judicial Circuit.....	236	Johnston,	319	661			
101	A bill to amend section 168 of an "Act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of township assessors, and pro-	240	Tarkington,	241, 278, 595, 629	873			

102	scribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	241	Conner,	319, 502	666		
103	A bill to amend sections 21 and 22 of "An act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852, so as to define adultery, fornication and public indecency and to provide punishment therefor.....	241	Wolfe,	324, 557			
104	A bill to enable minors, whose lands have been sold on an application by the guardian during minority, to prosecute an appeal from the order of sale and confirmation at any time within three years after arriving at full age.....	241	Miller,	326, 762			
105	A bill to amend an act, entitled "An act to amend the first section of an act concerning real property and the alienation thereof," approved May 6, 1852, approved March 2, 1859, and to legalize conveyances made by Indians, negroes, mulattoes and other persons of mixed blood.....	241	Slack,	312, 554	660	680	703
106	A bill to provide for the location, vacation or change of public highways, for the assessment of damages sustained by such location, vacation or change, and to repeal sections 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of an act to provide for the opening, vacating and change of highways, approved June 17, 1852.....	241	Murray,	327, 685	910		
107	A bill to provide for settlement and compromise by partners and joint debtors with their creditor and creditors.....	242	Teegarden,	327, 525	665		
108	A bill for the relief of the heirs of Michael O'Brien, deceased.....	242	Hamilton,	327	567	844	847
109	A bill to allow County Commissioners to organize Turnpike Companies where a majority of persons representing the real estate within prescribed limits petition for the same, and levy tax for its construction and provide for the same to be free.....	242	Culver,	328, 479	787		
110	A bill to amend the first section of "An act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint when necessary," approved May 29, 1852.....	242	Ferguson,	328, 475, 607	810		
111	A bill providing for the appointment of Notaries Public, defining their powers and duties, prescribing their fees, and repealing all former acts in relation thereto.....	242	Murray,	328, 514			
112	A bill to amend section 23 of an act, entitled "An act for the relief of the Indiana University, and to increase and extend its benefits by providing for the sale of the lands granted by the United States for the use of said University, regulating the application of the proceeds of the sale thereof, and prescribing the duties of the officers therein mentioned in relation thereto," approved March 2, 1859.....	243	March,	328, 478	785		
113	A bill to regulate the remission of fines and forfeitures, and to repeal all laws conflicting with the provisions of this act.....	247	Conley,	329, 470	813		
	A bill to amend the 144th section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms, and civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	247	O'Brien,	329, 490			

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
114	A bill for the relief of borrowers of Sinking Fund, surplus Revenue Fund, Saline Fund, and Congressional School fund, and other funds, and to repeal a certain act therein named, and prescribing how mortgages may be substituted, and matters properly connected therewith.....							
115	A bill to amend the second and fifth sections of an act, entitled "An act to authorize the commissioners of the sinking fund to receive substitutions of stock mortgages, and for other purposes," approved January 28, 1857, and containing some provisions respecting the reinstating of mortgages given for loans made from the sinking fund, or any other fund loaned by the auditor or treasurer of State, and of sales made on account of any of said funds, and respecting the safety, collection and control of said funds, the time, place, and manner of making sales, the proceedings against purchasers who fail to comply, and matters properly connected therewith.....	247	Newcomb,	247, 248, 475, 505, 570, 633, 736,	737	895	911	982
116	A bill to amend section seven of an act, entitled "An act to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 5, 1852.....	248	Newcomb,	247, 248, 506, 628,	737	841	863	911
117	A bill to authorize and require Clerks of Circuit Courts and Common Pleas Courts to enter satisfaction of certain mortgages, foreclosed in such Courts, and providing compensation therefor.....	249	Claypool,	329, 476	565			
118	A bill to fix the time of the Circuit Courts in the Fourteenth Judicial Circuit, and repealing all laws in conflict therewith.....	249	Studabaker,	249, 302	652	914	976	981
119	A bill to amend section six of an act, entitled "An act touching the laying out and vacating towns, streets, alleys, public squares and grounds, or any part thereof, the making out and recording of plats of such towns, and providing for the change of the names of such towns," approved May 20, 1852.....	250	Cobb,	250, 621				
120	A bill supplemental to an act, entitled "An act to repeal all general laws now in force for the incorporation of cities, to prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly belong thereto, approved March 9, 1857.....	250	Cobb,	329, 784	785			
127	A bill supplementary to "An act to authorize and regulate the business of general banking," approved March 3, 1855, and authorizing the auditor	250	Teegarden,	329, 647	871			

122	and treasurer of State to surrender the securities and money deposited, in certain cases.....	251	Claypool,	251, 526, 654, 721, 732, 823	824	979
123	A bill to provide for the establishment of private roads on the dividing lines between the lands of adjoining proprietors.....	251	Carnahan,	329, 766		
124	A bill to amend section 601 of an act, entitled "An act to revise simplify, and abridge the rules, practice, pleadings and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	252	Ferguson,	329, 474		
125	A bill to authorize Circuit Courts to hold adjourned and special terms, and to fix the compensation of judges and prosecuting attorneys therefor, and to legalize such terms heretofore held.....	261	Mellett,	329		
126	A bill to subdivide tracts of land in the reserved townships in the counties of Monroe and Gibson.....	262	Tarkington,	333		
127	A bill to repeal so much of an act, entitled "An act to provide for equalizing the apportionment for taxation of the real property of the State of Indiana," approved May 28, 1852, as authorizes holding district and State boards of equalization.....	262	Lomax,	330, 476		
128	A bill authorizing county auditors to issue fee bills.....	262	Robinson,	330		
129	A bill to apportion Senators and Representatives for the next four years.....	275	Williams,	275		
130	A bill to amend section fifteen of "An act to provide for the opening, vacating and change of highways," approved June 17, 1852.....	278	Stone,	330, 787		
131	A bill to amend section eleven of an act, entitled "An act touching the laying out and vacating towns, streets, alleys, public squares and grounds, or any part thereof, the making and recording of plats of such towns, and providing for the change of the names of such towns".....	279	Miller,	330, 626		
132	A bill to repeal an act, entitled "An act to amend the one hundred and thirty-eighth section of an act, entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlements," approved June 17, 1852, approved March 7, 1857, and to assist in the settlement of the estates of decedents.....	279	Mellett,	330, 523		
133	A bill to repeal sections 117 and 118 of an act, entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties, of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.....	279	Mellett,	331, 525		
134	A bill to authorize the killing of dogs that are found wandering away from their owners, to provide for the licensing of dogs within cities and towns, and to make allowances out of the county treasury to the owners of sheep that have been killed by dogs, and prescribing the duties of township appraisers in certain cases.....	279	Beeson,	297, 309, 730, 734, 738		
135	A bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs.....	280	Murray,	297, 316, 662, 705, 730, 734		
	A bill declaring commission merchants, attorneys at law, and railroad conductors, who shall commit a breach of trust, to be guilty of felony, and defining the punishment therefor.....	280	Landers,	331, 470, 891		

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
136	A bill to amend section six of an act, entitled "An act providing for the organization of county boards, and prescribing some of their powers and duties," approved June 17, 1852.....	280	Newcomb,	331, 491	655	933	933, 974	984
137	A bill repealing an act, entitled "An act providing for voluntary assignments of real and personal property, in trust for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1853.....	280	Miller,	331				
138	A bill to amend the second section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, so as to authorize a change of venue in certain cases, approved March 5, 1853.....	280	March,	331, 473	660	978		983
139	A bill to amend the fifth section of "An act to regulate and license the sale of spirituous, vineous, malt and other intoxicating liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1853.....	281	Shoulders,	331, 690				
140	A bill supplemental to an act, entitled "An act providing for the colonization of Negroes and Mulattoes, and their descendants, and appropriating \$5,000 dollars therefor; constituting a State Board of Colonization, declaring the duties of said board, and of State Treasurer and County Treasurer in relation thereto," approved April 28, 1852.....	281	Lomax,	331, 472				
141	A bill to amend section 34, of chapter 83, of the revised Statutes of 1852, and entitled "An act to provide for the incorporation of railroad companies," approved May 11, 1852.....	281	Blair,	332, 574, 661				
142	A bill to authorize the trustees of the State University to appropriate a certain amount of the University funds for the enlargement of its cabinet and library, and directing the State Librarian to transfer certain documents and books herein named, to the library of the State University; also, making the State Geologist a member of the Faculty of the University, and requiring him to deposit specimens of mineralogy and geology in the cabinet of the same.....	281	Miller,	332, 478	812	973		
143	A bill to authorize the bank of the State of Indiana to lay off and create five additional bank districts, and to locate and establish branches therein.....	282	Conner,	332, 575, 584, 992				

144	A bill to amend the sixth section of an act, entitled "An act for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the treasurer and auditor of State," approved June 17, 1852, so as to exempt certain property therein named from taxation.....	282	Newcomb,	332, 473	788		
145	A bill for the incorporation of Companies for agricultural, horticultural, and nursery purposes.....	282	Newcomb,	332, 625, 849			
146	A bill in relation to petit juries.....	282	Anthony,	332, 474	790		
147	A bill to repeal all laws for the organization and regulation of the militia of this State.....	282	Murray,	333			
148	A bill providing for the election of United States Senators, and defining the duties of certain officers thereto.....	293	Dickinson,	333			
149	A bill authorizing the Superintendents, or other persons having charge of County Asylums for the poor, to discharge inmates from the same, and to apprentice minors put under their care.....	294	Line,	333, 464			
150	A bill to amend sections four and seven of an act, entitled "An act to provide for the election, fixing the compensation, and prescribing the duties of Attorney General of the State of Indiana," approved February 21, 1855.....	294	Claypool,	333, 476	812		
151	A bill to amend an act approved March 5, 1859, to amend section forty-two of an act, entitled "An act to establish Courts of Common Pleas, and define the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1853, so as to regulate the docketing and disposal of the licenses thereof.....	294	Dickinson,	333, 491			
152	A bill to amend "An act to provide for the return of the jury in the Common Pleas Court at the third day of the term, approved March 5, 1859, so that the jury be returnable on the second day of the term."—Title amended—A bill to amend section one of an act, entitled "An act to provide for the return of the jury in the Common Pleas Court, at the third day of the term," approved March 5, 1859, so that the jury shall come, and the venire be returned, on the day of the term that the judge at any preceding term may designate.....	294	Dickinson,	334, 492			
153	A bill for the relief of Catharine P. Whittlesey, and to vest in her certain real estate recently held by John Lindsley, late of Vanderburgh County, Indiana, deceased, which has escheated to the State.....	294	Carnahan,	307	810	979	986
154	A bill to amend section four, and repeal section seven of an act, entitled "An act concerning interest on money," approved May 27, 1852.....	295	Teegarden,	334			
155	A bill to amend the 20th section of an act, entitled "An act defining felonies and prescribing punishment therefor," approved June 10, 1852.....	295	Miller,	334, 475			
156	A bill to regulate the descent and distribution of property of adopted children.....	295	Ray,	334			
157	A bill to amend the 1st, 11th and 12th sections of an act, entitled "An act to exempt property from sale in certain cases," approved February 17th, 1852.....	295	March,	334, 500, 515			
158	A bill to amend the first section of "An act concerning interest on money," approved May 27th, 1852.....	296	Grubb,	334, 470			

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
159	A bill declaring that the several Common Pleas Districts shall be known and designated by their respective numbers, and providing what counties shall compose such districts by their appropriate numbers.....	309	Wolfe,	335, 516,				
160	A bill providing for the opening of a Normal Department in the State University, and making an appropriation therefor, and authorizing a settlement with the administrator of the estate of J. Smith, Commissioner of Reserved Township, Gibson county, and legalizing the settlement made by the President of the Board of Trustees with J. M. Berry, Commissioner of Reserved Township, Monroe county.....	309	Tarkington,	335, 479				
161	A bill to amend the 12th section of an act, entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17th, 1852.....	316	O'Brien,	483, 992				
162	A bill to provide for the execution of conveyances by commissioners in the case of deceased vendors of real estate	316	De Hart,	483, 503				
163	A bill to amend section 467 of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.....	316	De Hart,	484, 503	568			
164	A bill to authorize administrators and executors to administer oaths to appraisers and clerks who may be employed in connection with decedents' estates	316	Carnahan,	484	811	973		987
165	A bill to amend section 26 of an act, entitled "An act authorizing the construction of Plank, McAdamized, and Gravel Roads," approved May 12, 1852.....	316	Berry,	484, 574				
166	A bill supplemental to "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852, so as to provide for the discharge of defendants from prison in certain cases, and declaring an emergency for the immediate taking effect of this act.....	320	Slack,	494, 790, 969				
167	A bill to provide for the laying out and repairing highways upon the line between Indiana and adjoining States	321	Turner.	484, 686				
168	A bill to enable guardians of the minor heirs of deceased persons to exe-							

169	curte conveyance of real estate in pursuance of contracts made in relation thereto by deceased owners.....	321	Dickinson,	484, 763			
	A bill to amend the sixth section of an act, entitled "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders in the same manner as is provided in said section for increasing capital stock.....	322	Beeson,	484, 515	786	949	986
170	A bill to amend the 1st, 2d, 3d and 4th sections of an act, entitled "An act for the protection of the Trust and other funds of this State, and to provide for the substitution of mortgages, and prescribing the punishment of officers who loan a greater amount of such funds than is authorized by law," approved March 2d, 1855.....	322	Newcomb,	484, 554	811		
171	A bill to repeal an act, entitled "An act to provide for the return of the jury in the Common Pleas Court at the third day of the term," approved March 5th, 1859, and to authorize the Judges of the Courts of Common Pleas to fix the order of business in such Court, and the day on which the jury shall be summoned to appear in such Court.....	322	Slack,	485, 567	653	913	974
172	A bill providing for the binding of printed matter ordered by the State to be done in book form.....	323	Wagner,	485, 505	873		983
173	A bill to provide for the election of delegates to a General Convention of the States, should such election and Convention be called for by the Congress of the United States.....	323	Lomax,	485			
174	A bill declaring that sales of land heretofore made by sheriffs under execution, without a previous appraisalment of rents and profits, shall not be considered void on account of such failure, and to prevent such sales from being set aside in certain cases.....	323	Ferguson,	485, 560, 764			
175	A bill to amend section forty-two of an act, entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction and duties of and providing compensation for the judges thereof," approved May 14, 1853, so as to regulate the docketing and disposal of the business thereof, and the act amendatory thereto, approved March 5, 1859.....	323	Slack,	485	566	914	977
176	A bill to regulate the granting of reprieves, commutations and pardons.....	404	Conley,	485, 847			982
177	A bill to amend the 5th section of an act, entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.....	404	O'Brien,	486	486	921	975
178	A bill to amend the second section of an act, entitled "An act to establish Courts of Conciliation, to prescribe rules and proceedings therein and compensation of judges thereof," approved June 11, 1852.....	404	Slack,	486, 555			983
179	A bill to authorize Master Commissioners of the Circuit and Common Pleas Courts in this State to issue writs of habeas corpus, and to try cases arising under such writs, and to award injunctions and restraining orders and writs of Ne Exeat, and providing for their compensation for said services.....	480	O'Brien,	494, 553			

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
180	A bill to amend an act, entitled "An act to amend 1st section of an act authorizing the construction of Plank, McAdamized and Gravel Roads," approved March 5, 1859.....	480	Slack,	404, 749				
181	A bill to amend the 13th section of an act, entitled "An act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.....	480	O'Brien,	404, 992				
182	A bill to repeal an act, entitled "An act prescribing the duties and fixing the compensation of State Agent....."	481	Slack,	404, 573				
183	A bill to amend section 1st of "An act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto," approved December 21st 1858, also defining the duties of appraisers and deputy appraisers, and the Auditor of State, approved March 4th, 1859, also defining the duties of county auditor and Boards of County Commissioners in regard to the appraisement of railroads.....	481	Cobb,	405				
184	A bill conferring jurisdiction upon justices of the peace in certain cases, where executors, administrators, or guardians are plaintiffs.....	481	Cobb,	404, 514	874			
185	A bill to amend the 8th section of an act, entitled "An act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when the same should take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.....	481	Ray,	404, 528, 755, 756	971	974		986
186	A bill to amend section six of an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor State," approved June 21, 1852.....	490	Miller,	544, 744				
187	A bill to repeal an act, entitled "An act providing for extending the terms of the Circuit Courts by adjournment when the pending business shall be unfinished," approved February 12th, 1855, to authorize the Court or judge to call and hold special terms, and to provide for the compensation of the judges for holding such adjourned and special terms, and of prosecuting attorneys while in attendance upon the same, approved December 24, 1853, and to legalize all judgments, orders and decrees of the special							

188	terms of said Court held under the provisions of the act hereby repealed.....	492	Conner,	545, 555	789	947	986
189	A bill to amend section five of an act, entitled "An act providing for the appointment of Notaries Public and defining their powers and duties," approved June 20, 1852, and supplemental thereto, conferring upon Notaries Public all the powers conferred upon Justices of the Peace in civil cases.....	492	De Hart,	545, 690			
190	A bill to repeal all laws making appropriations in aid of colonizing negroes and mulattoes of this and other States.....	493	Murray,	545, 994			
191	A bill to amend the first section of an act, entitled "An act concerning interest on money," approved May 27th, 1852.....	493	March,	545, 572			
192	A bill to create the Sixteenth Judicial Circuit for the State of Indiana.....	493	Mellet,	545, 634, 888			
193	A bill to amend section 15 of an act, entitled "An act to amend section 15 and to repeal sections 27 to 38 inclusive, of an act, entitled an act to provide for the opening, vacating and change of highways," approved June 17th, 1852, so as to give Boards of County Commissioners jurisdiction as to the change, laying out and vacating highways in their respective counties, saving and transferring all proceedings now pending before Township Trustees under said sections so repealed to the Boards of County Commissioners, and providing for the disposition thereof, approved March 5th, 1859, and to legalize all roads located, vacated or changed under either of said acts.....	498	Hull,	545, 685			
194	A bill empowering the several Boards of County Commissioners of the several counties of this State to employ any competent person or persons, to investigate the books, vouchers, accounts and settlements of the county auditors and county treasurers of the State.....	503	White,	545, 686	793		
195	A bill to secure the collection of rents in certain cases therein named, and to enable persons of small means to rent land without giving personal or other security therefor.....	504	Stone,	546, 630	867		
196	A bill to amend the fourth section of an act, entitled "An act concerning the interest on money," approved May 27th, 1852.....	504	Carnahan,	546, 575			
197	A bill to exempt from taxation, for corporation purposes, of either town or city personal estate in the possession or under the control of guardians in certain cases.....	504	Wilson,	546, 771			
198	A bill requiring county auditors to report to the Sinking Fund Commissioners and Superintendent of Public Instruction, the amount of School Fund on hand or received, and prescribing penalties for the violation of this act.....	505	Miller,	547, 573			
199	A bill to amend section one of an act, entitled "An act supplemental to an act to exempt property from sale in certain cases," approved February 17, 1852, approved March 5, 1859, so as to include all kinds of personal property.....	517	Turner,	547, 712			
200	A bill to authorize the draining of Swamp or wet lands, and providing for the assessment and payment of the damages occasioned thereby.....	517	Cobb,	547	813		
201	A bill to prevent officers from taking illegal fees, affixing a penalty thereto, and requiring officers in certain cases to receipt for the fees on the payment of the same.....	518	Conner,	547, 817			
		518	Craven,	548			

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate	Passed House.	Subsequent Proceedings.	Approved.
202	A bill to amend the eighth section of an act, entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	518	Wilson,	548, 673				
203	A bill to authorize the Governor to obtain possession of all public arms and military equipments belonging to the State of Indiana, or distributed by the General Government to the same, and which are not in the possession of companies meeting regularly for drill; and to institute legal proceedings to recover the said arms and equipments, or the value thereof; and also to provide for the distribution of the public arms, and to repeal all laws in conflict herewith.....	518	Blair,	548	666	795	905	817
204	A bill to amend the fifth section of "An act to provide a treasury system for the State of Indiana. for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys.....	519	Landers,	548, 578, 622				
205	A bill to amend the sixteenth section of an act, entitled "An act touching the relation of guardian and ward," approved June 9, 1852, and repealing sections seventeen and eighteen of said act.....	519	O'Brien,	548, 992				
206	A bill to amend the 99 th section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.....	519	March,	548, 558	791			
207	A bill to amend section nine of "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	519	Stone,	549, 671				
208	A bill to amend sections three, five and nine, of an act, entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	519	Claypool,	520, 549, 724				
209	A bill to amend section twelve of "An act regulating decedents, and the apportionment of estates," approved May 14, 1852.....	520	Claypool,	549, 558	753			
210	A bill to aid in the collection and preservation of historical materials relating to the early settlement of Indiana.....	527	Line,	596, 631	792			
211	A bill to amend sections 238 and 241 of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at							

212	law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, and to provide for the examination, and taking the depositions of parties as witnesses in civil actions and proceedings.....	528	March,	598, 991			
213	A bill to fix the time of holding the Circuit Courts in the Sixteenth Judicial Circuit, and repealing all laws in conflict therewith.....	528	Claypool,	598, 625			
214	A bill to legalize deeds of conveyance of real estate, and to debar married women from any rights or interest in such real estate in certain cases.....	528	O'Brien,	598, 764			
215	A bill to amend section two of act, entitled "An act to amend the third section of an act, entitled an act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof, and repealing sections 29 and 38 of said act," approved March 1, 1859.....	528	Bearss,	599, 791			
216	A bill to repeal an act, entitled "An act for the erection of a new prison north of the Notional Road, election of officers therefor, making appropriations, and for the regulation of the same," approved March 5, 1859.....	529	Beeson,	599			
217	A bill to amend the first and second sections of "An act in relation to special elections," approved May 13, 1852.....	529	Johnston,	701			
218	A bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and for the establishment and regulation of township libraries.....	530	Miller,	530, 597, 623, 635, 681, 750, 775	883	884, 974	986
219	A bill to amend the first section of an act, entitled "An act to enable trustees to receive lands and donations, and convey the same, for the use of schools, churches, religious societies, Masonic and Odd Fellows' Lodges, Sons and Daughters of Temperance, and for the construction of cemeteries, houses of worship, or other buildings therein mentioned," approved June 17, 1852.....	549	Wagner,	599	871		
220	A bill to amend the second section of an act, entitled "An act to amend sections 207 and 208 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and pleading and practice without distinction between law and equity," approved June 18, 1852, which amendatory act was approved March 5, 1859, so as to authorize a change of venue, in certain cases, from the county, and prescribing the mode in which the same shall be granted.....	550	Tarkington,	599, 673			
221	A bill to provide for the prosecution of the necessary judicial proceedings to procure the removal of the Feeder Dam erected across the Calumet River, in the State of Illinois, and for the payment of the expenses of such proceedings.....	578	Turner,	599			
222	A bill to repeal an act, entitled "An act prescribing the time of holding, and the length of the terms, of the Courts of the Third Judicial Circuit," approved March 3, 1859, and to revise and declare in force the act or parts of acts thereby repealed.....	578	Cravens,	600, 662	662		
	A bill to provide for the government and discipline of State Prisons, and to repeal "An act to provide for the government and discipline of State						

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
223	Prisons," approved February 5, 1857, together with so much of an act to provide for the erection of a new Prison, north of the National Road, as elect officers thereof, make appropriations, and for the regulation of the same, approved March 5, 1853, as may come in conflict with this act, and all other laws and parts of laws inconsistent with the provisions of this act.....	579	Anthony	600, 643, 675				
224	A bill to amend the twentieth section of an act, entitled "An act concerning the partition of lands," approved May 20, 1852, and to provide for appeals and fixing the time thereof.....	579	March,	600, 772				
225	A bill to provide for the investment of the Sinking Fund in Indiana, five per cent. and two and a half per cent. State Stock.....	579	Wagner,	800, 627				
226	A bill to amend section 33 of "An act providing for the government of the State University, the management of its funds, and for the disposition of the lands thereof," approved June 17, 1852, and providing for the prompt collection of the interest or loans of said funds, and the duties of officers therein named.....	579	Tarkington,	600, 713				
227	A bill to amend the 20th, 22d and 24th sections of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions, in the Courts of this State," approved June 17, 1852, and to authorize district attorneys to administer oaths in certain cases.....	579	March,	600, 617				
228	A bill to regulate the contingent fee on perpetual scholarships in the State University, and providing for the purchase of the same.....	580	Tarkington,	600, 712	924			
229	A bill to amend the third section of an act, entitled "An act prescribing the powers and duties of justices of the peace in State prosecutions," approved May 29, 1852.....	580	March,	600, 674				
230	A bill to abolish complete records in certain cases in the Supreme Court of this State, and to repeal all laws inconsistent therewith.....	580	Blair,	601, 992				
	A bill to enable railroad companies incorporated under the general railroad law of May 11, 1852, that have gone on and constructed their roads, but failed to complete the same within the time specified in said law, to enjoy the privileges of their charter, and to complete or abandon the remainder; and to enable railroad companies to extend their lines of railroad, and also to extend the time to complete said roads.....	580	Wagner.	601, 684				

231	A bill to amend section 68 of an act, entitled "An act to amend an act, entitled an act to repeal all laws now in force for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857, and to provide for a penalty upon city taxes remaining delinquent after the third Monday of March, A. D. 1859," approved March 1, 1859.....	580	Newcomb,	601, 624	
232	A bill supplemental to "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852, and defining certain offenses therein, and prescribing punishment therefor.....	581	Claypool,	601	
233	A bill to amend section 143 of an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the treasurer and auditor of State," approved June 17, 1852, so as to fix the rate of compensation for the publication of the delinquent lists in the several counties of this State.....	593	Bearss,	602, 672	794
234	A bill to amend the first section of an act, entitled "An act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852.....	593	White,	603	
235	A bill to prohibit Clerks of the Circuit and Common Pleas Courts, and their deputies and assistants, from practicing law in certain cases.....	594	De Hart,	603, 617	
236	A bill to amend the title and first section of an act, entitled "An act to amend the title and first section of an act, entitled an act authorizing railroad, plank road and McAdamized road companies, to borrow money, and to secure the re-payment thereof by mortgage," approved February 5, 1852, approved February 14, 1859.....	594	Anthony,	603	
237	A bill to authorize the process of garnishment against Clerks of the Circuit and Common Pleas Courts, sheriffs, justices of the peace, constables, and all other officers who collect money by virtue of their office, and executors, administrators, guardians and trustees, and providing for the indemnification of such officers and persons.....	594	Miller,	603, 630	874
238	A bill to amend the 42d section of an act, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1859.....	594	O'Brien,	603, 623	
239	A bill to amend section 12 of an act, entitled "An act to authorize the construction of sewers and drains," approved June 12, 1852, and to legalize appointments made under said act, where the appraisers were sworn before a justice of the peace.....	594	Studabaker,	603, 904	
240	A bill regulating the rates of exchange chargeable in certain cases herein named, and declaring it usury to take or charge exchange contrary to the provisions thereof, by any bank, individual or corporation.....	595	Tarkington,	604	
241	A bill to amend sections one, two and three of an act, entitled "An act to provide for the re-location of county seats, and for the erection of public buildings in case of such relocation," approved March 2, 1855, and to provide for the disposition of grounds and buildings heretofore used as				

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
	county buildings, and to provide for appeals from the decisions of Boards of County Commissioners in relation thereto, and to repeal all laws in conflict therewith.....							
242	A bill to amend the fourth and fifth sections of an act, entitled "An act concerning interest on money," approved May 27, 1852.....	595	Miller,	604, 828				
243	A bill to amend the title and section one of an act, entitled "An act concerning promissory notes and bills of exchange," approved May 12, 1852, so as to include bonds and other instruments in writing.....	601	March,	604				
244	A bill providing for the erection of a monument over the remains of Jonathan Jennings, and making an appropriation therefor.....	602	White,	701, 762				
245	A bill for the relief of Joseph Moore.....	609	Ferguson,	701				
245	A bill supplemental to an act, entitled "An act providing for the election and appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1850.....	615	March,	653, 671	792			
247	A bill to create the twenty-second district of the Court of Common Pleas and to attach the county of Washington to the Common Pleas District composed of the counties of Jennings, Lawrence and Jackson, to fix the times of holding Courts therein, to regulate the return of process, and to repeal all laws in conflict therewith.....	615	Hull,	701, 744				
248	A bill to amend the 3d and 4th sections of an act, entitled "An act fixing the time and mode of electing State Printer, defining his duties, fixing compensation, and repealing all laws coming in conflict with this act," approved March, 1850, requiring State Printer to furnish all stationery necessary for the State printing, allowing him the current wholesale price therefor at the time of purchasing the same, and requiring him to furnish quarterly to the Secretary of State a specific statement, verified by affidavit, of the quantity and price of all the stationery so furnished, and all work done by him for the State.....	629	Ray,	701, 817				
249	A bill to amend the first section of "An act to amend the first section of an act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire-dancing, puppet show and legerdemain," approved June 15, 1852, and for the encouragement of agriculture, and concerning the licensing of stock and exchange brokers, approved March 7, 1857.....	631	De Hart,	631, 701, 872	872			
		632	Bearss,	632, 701	868			

250	A bill authorizing liens in favor of attorneys and counselors at law in certain cases	648	Newcomb,	648, 702, 704, 707, 819	822
251	A bill to ascertain the amount of the fees and salaries of the Clerk of the Supreme, Circuit and Common Pleas Courts of this State, of the sheriff of the Supreme Court, and of the various counties in this State, of county auditors, treasurers, and recorders, and to provide punishment for a violation of its provisions	648	March,	702, 711	894
252	A bill to authorize the construction of levees and drains and the improvement of any river, creek, or other water course	648	Connet,	702, 748	
253	A bill to provide a more just and humane system of medical attention to paupers in townships, county asylums or county jails, and to repeal all laws or parts of laws in conflict therewith	648	Conley,	702, 961	
254	A bill to provide for taking an enumeration of the white male inhabitants of the State of Indiana over the age of twenty-one years, and defining the duties of certain officers in relation thereto	649	Wolfe,	702, 891	
255	A bill to amend section 18 of an act, entitled "An act prescribing the powers and duties of Justices of the Peace," approved May 20, 1857	649	Cobb,	703	
256	A bill to provide for the confession of judgments in Courts of Record, upon certain conditions therein named, and to enable parties in civil suits in the Courts of this State to have judgment without filing a declaration other than the instrument upon which judgment is asked	649	Jones,	703, 992	
257	A bill to amend section second of an act, entitled "An act to provide a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe-keeping of public moneys	650	Cobb,	703, 991	
258	A bill to amend section one hundred and five of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State," approved June 17, 1852	650	Wolfe,	703, 991	
259	A bill to amend sections 78, 79, 94, 95, 123, 136, 142 and 143 of an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State," approved June 21, 1852	650	Sloemaker,	651, 771	
260	A bill releasing all the right, title, interest and claim of the State of Indiana in and to the ——— quarter of section No. ———, in town No. thirty north of range No. 12 east, situate in Allen county in said State, to William Rockhill	674	Hamilton,	726, 830	831
261	A bill regulating the license of pilots at the Falls of the Ohio river, requiring bond and security of such pilots, prohibiting any unlicensed person from acting as such pilot; providing for the compensation of such pilots and the revocation of their licenses, and repealing all laws and parts of laws in conflict therewith	674	Bearss,	726	
262	A bill to amend the 11th and 24th sections of an act, entitled "An act regulating the election and duties of State Librarian," approved May 27th, 1857, and to punish the violation of its provisions	696	March,	727	
263	A bill for the erection of a State House of Refuge for the reformation and correction of juvenile offenders, and to repeal sections three, four and six of an act, entitled "An act to provide for a site, system of govern-				

BILLS OF THE SENATE—Continued.

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
264	ment and place for the correction and reformation of juvenile offenders," approved March 5, 1855. A bill to amend the 9th section of an act, entitled "An act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws in conflict therewith," approved March 5, 1859, and prescribing the times of holding and the duration of the terms of the Common Pleas Courts of the counties of Clay, Owen, Greene and Putnam.	704	Blair,	727				
265	A bill to provide for the execution of conveyances by county auditors for school lands, where the certificate has not been properly assigned, or assignment certificate acknowledged in certain cases.	704		727	751			
266	A bill fixing the time of holding the Circuit Court in Owen county, and repealing all laws in conflict with the provisions of this act.	704	March,	727, 763				
267	A bill to authorize the Boards of County Commissioners of the several counties of this State to make allowances to sheriffs or other officers who may pursue and capture criminals or felons, under the requirements of law	704	Conley,	727, 745	754			
268	A bill to provide for entering satisfaction of mortgages upon the mortgage records of the several counties of this State, executed to the State Bank of Indiana, in cases where such mortgages have been satisfied by payment or otherwise.	707	De Hart,	727, 744				
269	A bill to district the State of Indiana for the purpose of selecting members to the Congress of the United States of America.	707	Newcomb,	727, 765				
270	A bill creating a Common Pleas District of certain counties therein named, and providing for the appointment and election of judges and prosecuting attorneys thereof.	725	Wagner,	747, 760, 832				
271	A bill to amend to amend section one of an act, entitled "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers, and duties in civil cases," approved June 21, 1852.	726	Wagner,	748, 796				
272	A bill to enable County Commissioners to remove county seats in certain cases.	726	Landers,	748				
273	A bill to authorize the redemption of lands in certain cases when sold on execution.	726	Wagner,	748, 991				
		746	March,	769, 847				

274	A bill to provide for the appointment of a temporary judge of the Court of Common Pleas by said Court in the absence, or in cases of interest or relationship of said Judge of said Court, and for holding extra terms of said Court.....	746	Newcomb,	769, 923, 925	925	
275	A bill to amend "An act to authorize and limit allowance by Courts' drafts upon county treasurers," approved May 27, 1852.....	766	Johnston,			
276	A bill to district the State of Indiana for the purpose of electing members to the Congress of the United States of America.....	766	Murray.			
277	A bill to amend sections 54 and 66 of an act, entitled "An act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and defining the boundaries of the counties of Morgan and Putnam.....	796	Johnston,	799	800.	971
278	A bill making an appropriation for carrying on the work on the Northern State Prison, and providing for the manner of completing the same, and prescribing the powers and duties of the Board of Directors in relation thereto.....	804	White,	805, 867		
279	A bill accepting the surrender of a contract by William H. Talbott and Francis Costigan for the construction of the Northern State Prison, and the rights and property therein mentioned, and to appropriate the sum of \$13,574 27 cents to pay said Talbott and Costigan the amount due them according to estimate for work under said contract.....	941 988	Tackington, Williams,	941, 942 991	943	972
280	A bill to apportion Senators and Representatives for the next six years.....					

986

986

BILLS OF THE HOUSE.

1060

Number.	TITLES.	Reported from House.	Proceedings Thereon.	Passed Senate.	Subsequent Proceedings.	Approved.
1	A bill defining certain felonies and misdemeanors, and prescribing punishment therefor, and providing for certain evidence on the part of the State.....	324	482, 512, 513	514	563	
3	A bill to amend the 16th section of an act, entitled "An act to fix the times of holding Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all processes from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing laws inconsistent therewith," approved March 5, 1859, so as to provide for the holding of said Common Pleas Courts in the County of Newton.....	583	583, 604, 686, 750	751	768	
8	A bill providing for the allowance and compensation of Clerks of the Circuit and Common Pleas Courts and Sheriffs for extra services, and to repeal all laws in conflict therewith.....	583	583, 598, 618	954	973	
10	A bill authorizing County Librarians to loan certain funds, and regulating the same.....	903	908	909		
15	A bill to amend section two of an act, entitled "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855.....	902	921	922	980	
39	A bill to authorize the formation of new counties, and to county boundaries, and to repeal all laws inconsistent therewith.....	564	594, 604, 618, 620	621	733	
42	A bill to authorize the Gibson County Circuit Court to hear testimony and make a decree in reference to the erection and sale of the County Seminary of said county.....	664	665, 698, 757	866	877	
44	A bill to amend the first section of an act, entitled "An act to provide for the management and disposal of the estates of persons who have absented themselves from their usual place of residence and gone to parts unknown," approved March 5, 1859.....	583	583, 605, 765	907	914, 980	
59	A bill to amend section one of an act, entitled "An act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.....	129	129	130	173	
62	A bill to authorize the Bank of the State of Indiana to lay off and establish five additional Bank districts, and to locate and establish Branches therein.	667	699, 859, 877, 879, 896, 936, 934, 898	937		

64	A bill authorizing aliens to hold lands in the State of Indiana, by purchase or otherwise.....	608	728	865	980
77	A bill to amend the sixth section of an act, entitled "An act to incorporate the St. Joseph Iron Company, and to repeal the seventh, eighth, ninth, tenth, eleventh and twelfth sections thereof," approved January 22, 1835. A bill to quiet the title of a piece of ground in Vanderburgh County, known as the east half of out-lot No. 5, according to the plan of out-lots laid out by Robert M. Evans, on part of the north-west quarter of section No. 29, in township 6, south of range 10 west.....	730	746	908	980
81	A bill regulating interest on money, and to repeal an act, entitled "An act concerning interest on money," approved May 27, 1832, and all other laws or parts of laws in conflict with this act.....	668	690, 820	885	980
86	A bill to amend sections eight and ten of an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852.....	697	728, 779	782	820, 841
91	A bill to amend an act approved January 27, 1847, entitled "An act to amend an act, entitled an act to incorporate the El River Seminary Society," approved January 7, 1824, and for other purposes; to amend the second section of said act; to repeal the third, fifth and eighth sections; to clothe said Society with additional powers; to provide for the increase of stockholders, the election of five trustees as sole managers of the affairs of said Society, and their terms of office, and the effect of a failure to elect; and to confine the act of the Board of Commissioners of Cass County in releasing to the stockholders of said Society all the interest of said County in the Society's property and revenues, and releasing all claims of the State thereto, and releasing the Corporation from the operation of the act requiring the sale of County Seminaries, and legalizing the proceedings of said Corporation, approved March 11, 1861.....	325	326, 487, 687, 721	722	948, 974
100	A bill authorizing Township Trustees to assign certificates of purchase of Soline Lands, which were purchased with school funds, by the inhabitants of school districts in Congressional townships, for school house sites; approved March 3, 1861.....	795	769	950	984
103	A bill to provide for the erection of any bridge across a stream forming a boundary line between two counties, and to repeal section seven of an act, approved March 3, 1853, entitled "An act to provide for the erection and repair of bridges," and to repeal an act, entitled "An act to provide for the erection and repair of bridges," approved May 12, 1852; approved March 8, 1861.....	697	728, 745	890	981
104	A bill to provide for the deficiency in the treasury by a loan of seventy-five thousand dollars from the Commissioners of the Sinking Fund, and for the security and repayment of the same," approved February 21, 1861....	583	605, 686	870	876, 877
106	A bill to amend the thirtieth section of an act, entitled "An act defining misdemeanors and prescribing punishment therefor," approved March 9, 1861.....	171	172, 174, 311, 318, 325, 326, 531, 532, 534	537	550
114	A bill to amend the first section of an act, entitled "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, so as to provide for the incorporation of companies to supply motive power as to carry on such business, or to supply any city or village with water.....	697	728, 924	924	980
		730	746	958	984

BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Reported from House.	Proceedings thereon.	Passed Senate	Subsequent Proceedings.	Approved.
115	A bill to amend an act, entitled "An act supplemental to an act, entitled 'An act to exempt property from sale in certain cases, approved February 17, 1852,' approved March 5, 1859," and to provide for the making out of a schedule by the wife, in the absence of the execution defendant.....	731	746	965	984	987
119	A bill concerning the State, County, Township and Road Tax, of the Counties of Jasper and Newton.	323	324, 487	506	550	
133	A bill in relation to witnesses, and to amend section 238 of article thirteen of the act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.....	869	869, 892	892	915	
135	A bill to amend section 6 of an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the treasurer and auditor of State," approved June 21, 1852, so as to exempt from taxation the personal property of widows, where the same does not exceed three hundred dollars in value.....	731	747, 910, 951	952	992, 994	
139	A bill to enlarge the legal capacity of married women, whose husbands are insane, and to enable them to contract as if they were unmarried," approved March 11, 1861.....	731	747, 829	965	984	
140	A bill to authorize the President of the Board of Sinking Fund Commissioners to make deeds and satisfy mortgages, in certain cases therein named.....	697	729 748	754	768	
152	A bill to amend section nineteen of an act, entitled "An act to fix the times of holding Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, &c.," approved March 5, 1859.....	297	298	327	487	
155	A bill fixing the time for holding the Circuit Court in the 13th Judicial Circuit, regulating the length of the terms thereof, and repealing all laws inconsistent therewith.....	956	956	960	984	

159	A bill declaring it to be a misdemeanor to leave open gates, let down fences or destroy cattle guards along the line of railroads, and providing a penalty therefor.....	759	769	959	984
161	A bill to amend the eleventh section of an act, entitled "An act to provide a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe-keeping of public moneys," approved March 1, 1850.....	669	699	753	761, 773, 787
167	A bill concerning promissory notes, bills of exchange, bonds or other instruments of writing, signed by any person, who, to pay money, or acknowledge money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith.....	583	606, 616	960	973, 984
173	A bill supplemental to an act, entitled "An act supplemental to an act, entitled 'An act to provide for the re-location of county seats, and for the erection of public buildings in case of such relocation, approved March 2, 1855, so as to provide for the relocation of county seats, and for the erection and preparation of county buildings, in the counties where two-thirds of the legal voters have petitioned, designating a site and a house to be used as a Court House, and when a deed has been executed, to provide also for the transfer of any equitable title for the termination of actions growing out of such relocation, and for the transfer of the former county property," approved December 28, 1850, so as to provide for the relocation of county seats in counties where no Court House has been erected, which have been formed out of the territory of another county, and for the transfer of the county offices, books, &c.....	669	700, 826	828	842
185	A bill entitled an act to provide for numbering the several districts of the Courts of Common Pleas of the State of Indiana.....	903	965	966	984
186	A bill to authorize the board of commissioners to purchase toll bridges or any private interest therein.....	772	867	920	980
188	A bill to provide for the organization of companies to build dams across any stream, to afford slackwater navigation.....	902	907, 952	953	971, 984
190	A bill to provide for the expenses of the present session of the Legislature.....	496	496, 543	544	572
199	A bill to amend an act, entitled "An act authorizing county agricultural societies to purchase and hold real estate," approved February 19, 1855, and to authorize such societies to issue capital stock.....	584	606, 690, 779	924	973, 984
243	A bill fixing the time of holding the Circuit Court in the First Judicial Circuit, and repealing all laws in conflict therewith.....	697	729, 825	826	841, 846
244	A bill to amend section one of an act, entitled "An act fixing the time of holding the Circuit Courts in the 12th Judicial Circuit, regulating the terms thereof, and repealing all laws inconsistent therewith," approved March 2, 1850.....	963	964	964	984
283	A bill to provide for the payment of interest on the State debt, due January 1, 1861.....	606	607, 700, 743	856	877
294	A bill to provide for the necessary judicial proceedings to procure the removal of the feeder dam erected across the Calumet river in the State of Illinois, and the payment of the expenses of such proceedings.....	864	864	906	980
295	A bill to amend an act, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribe their powers and rights and the manner in which				

Number.	TITLES.	Reported from House.	Proceedings thereon.	Passed Senate.	Subsequent Proceedings.	Approved.
296	they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 9, 1857..... A bill to amend section sixteen of an act, entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of the State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.....	933	934	955	984	
317	A bill regulating the assessment and collection of taxes on the capital stock of the Bank of the State of Indiana, and the Stock Banks of the State of Indiana.....	731	747	885	980	
324	A bill to repeal all laws now in force establishing the times of holding Circuit Courts in the second Judicial Circuit, to fix the time of said Courts, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect.....	926	926	927	980	
325	A bill to raise a revenue for State purposes for the years 1861 and 1862.....	647	700	890		
326	A bill to revise an act, entitled "An act to legalize the doings and proceedings of the Alton, Mount Carmel and New Albany Railroad Company, and for other purposes," approved February 4, 1851, extending the time for the commencement and completion of said railroad, changing the name thereof, with some general provisions in regard to the corporate powers thereof, and declaring an emergency for the immediate taking effect of this act.....	698	729, 756	823	980	
328	A bill to amend the 4th section of an act, entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process returnable to such terms and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, and providing for the return of process to the terms fixed in this act, and declaring when this act shall take effect.....	865	886, 905	905	980	
336	A bill making general appropriations for the years 1861 and 1862.....	702	711, 745	889		
341	A bill to amend section 1st of an act, entitled "An act to amend the 103d section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing	843	861	863	954, 970, 984	

342	the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State, approved March 5, 1859	901	937	938	
	A bill to amend section 124 of an act, entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State, approved June 21, 1852	902	963	963	
346	A bill in relation to applying certain funds therein named to the payment of the public debt, and raising a revenue for the support of Common Schools, and to repeal all laws in conflict therewith	856	867	868	886, 891, 894, 981
348	A bill making specific appropriations for the year 1861	898	915, 928, 932	932	940, 955, 958, 974, 984
349	A bill supplemental to an act, entitled "An act to provide for the government and discipline of the State Prison, and to repeal an act to provide for the government and discipline of the State Prison," approved March 3, 1858, and all other laws or parts of laws inconsistent therewith, approved February 5, 1857, providing that the Directors of said Prison may work the convicts outside of said Prison under certain restrictions, and providing punishment for any interference with the officers or convicts of said Prison while so employed, and providing for the purchase of ground for graveyard, for the enlargement of the female department of the Prison, for the transfer of the Insane convicts to the Hospital for the Insane, and authorizing said Directors to adjust and settle all matters in controversy with the contractors in said Prison, to make new contracts with said contractors, and repealing section 11 of an act entitled an act to provide for the government and discipline of the State Prison, and to repeal an act entitled an act to provide for the government and discipline of the State Prison, approved March 3, 1855, and all other laws or parts of laws inconsistent herewith, approved February 5, 1857	949	950	950	973
5	A bill limiting the power of County Commissioners in the assessment and collection of taxes	562	563		
107	A bill to amend an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, and to provide a mode of taking down evidence in certain cases	583	583, 606, 993		
13	A bill making provisions for the refunding of license money illegally collected under an act, entitled "an act concerning license to vend merchandise, to exhibit any caravan, menagerie, circus, rope and wire-dancing, puppet show, and leggedemah," approved June 15, 1852	668	698, 749		
46	A bill to legalize the acts and proceedings of certain special terms of the Circuit Court	968	998, 968		
52	A bill to authorize Justices of the peace to administer any oath required by law	968	999, 968		
76	A bill to amend section one of an act, entitled "An act authorizing county recorders and county surveyors to issue fee bills," approved March 5, 1855	969	930, 848		

BILLS OF THE HOUSE—Continued.

1066

Number.	TITLES.	Reported from House.	Proceedings thereon.	Passed Senate.	Subsequent Proceedings.	Approved.
69	A bill to amend an act providing for serving process upon the officers, directors, attorneys or agents of any railroad company, approved March 4, 1852.....	668	699, 969			
30	A bill to amend the seventy-eighth section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts in this State," approved June 17, 1852.....	697	728, 765			
116	A bill to require the manufacturers and vendors of copyright medicines, or prescriptions, commonly known as patent medicines, to label packages, bottles, or boxes, in which said medicines or prescriptions are contained, with the names and quantity of the various kind or kinds of medicines, articles or ingredients composing such composition of medicines, and providing a penalty for the violation thereof.....	697	728, 957			
228	A bill supplemental to an act to require surviving partners to file inventories and appraisement in the office of the Clerk of the Court of Common Pleas, and to report the liabilities of the firm, approved March 5, 1859....	697	728			
263	A bill to amend section seventeen of an act, entitled "An act fixing the time of holding the Common Pleas Courts in the several counties of this State," &c., approved March 5, 1859.....	697	729, 849			
124	A bill to cure certain defects when persons have acted as deputies under the Clerks of the Circuit Courts, by and with their consent, in this State.....	731	747			
129	A bill to amend section 178 of the act, entitled "An act providing for the settlement of decedents' estates, prescribing the rights, duties and liabilities of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.....	731	747, 846			
72	A bill for the recovery of personal property, providing for an execution against the body, and repealing all laws in conflict therewith,"	758	769			
82	A bill to amend the seventh section of an act, entitled "An act to incorporate the South Bend Manufacturing Company, and to repeal the ninth section of the same," approved December 28, 1842.....	758	769	890		
89	A bill to amend the ninth section of an act, entitled "An act to amend an act to authorize and regulate the business of general banking in the State of Indiana, so as to make a copy of the certificate of the Auditor of State a sufficient cause of action, and the certificate itself prima facie evidence					

122	in suits against banking associations and individual stockholders thereof, or either, or any of them, in certain cases therein named,"	758	769	894
	A bill to organize a judicial district composed of the counties of Vermilion, Parke and Putnam, providing for the appointment and election of a judge and district attorney therefor, fixing the time of commencement and duration of the terms thereof, making all writs, subpoenas, venire, rules and orders of Court, reports, recognizances, publications, and processes whatever, returnable thereto, and declaring when and how the same shall take effect	758	769, 969	
176	A bill to license dogs, and providing for the payment of all damages sustained in the maiming or killing of sheep by dogs, declaring unlicensed dogs nuisances, and declaring under what circumstances they may be killed, and prescribing a punishment for killing licensed dogs, and to provide penalties for the violation of any provisions of said act by officers and others	758	769	
313	A bill to provide for the mode and manner of electing United States Senators	758	769	
322	A bill to repeal section thirty-eight of an act, entitled "An act to provide for the incorporation of railroad companies," approved May 11, 1852	758	769, 955, 962	
160	A bill to amend section one of an act, entitled "An act prescribing certain misdemeanors punishable only by a justice of the peace," approved June 7, 1852	772		
269	A bill supplemental to an act passed March 3, 1855, entitled "An act to establish a bank with branches,"	901	952	
145	A bill to amend an act, entitled "An act to provide for the valuation and assessment of the real and personal property, and collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and of the Treasurer and Auditor of State,"	901		
118	A bill to authorize judges of Circuit and Common Pleas Courts to make orders in vacation	903		
127	A bill to give the custody and control of the records and papers of the former Probate Courts of the different counties of this State to the Clerks of the Courts of Common Pleas, and to authorize them to make and certify transcripts of the same	903		
154	A bill to amend an act, entitled "An act prescribing the powers and duties of justices of the peace in State prosecutions," approved May 29th, 1852	903		
165	A bill to amend section three of an act, entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859	903		
242	A bill to provide for inclosing the Tippecanoe Battle Ground, and making an appropriation therefor, and prescribing penalties for the violation of this act	938		

JOINT RESOLUTIONS OF THE SENATE.

1068

Number.	TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Passed Senate.	Passed House.	Subsequent Proceedings.	Approved.
1	A joint resolution of instruction upon the political questions that are now agitating the country.....	15	Tarkington,	16				
2	A joint resolution on the State of the Union.....	30	Murray,	30				
3	A joint resolution on the State of the Union, and giving expression to the sense of the General Assembly on the present condition of the country.....	68	Hamilton,	68				
4	A joint resolution memorializing the Congress of the United States to call a National Convention to consider amendments to the Federal Constitution.....	68	Ray,	68				
5	A joint resolution proposing an amendment to section 2d, article 2d of the Constitution so as to guard against fraudulent voting.....	108	March,	108, 237	238	660		
6	A joint resolution proposing an amendment to article 8 of the Constitution so as to enable cities, townships and towns to levy taxes for the support of Common Schools.....	108	March,	108, 238, 239	239	563		
7	A joint resolution on the present condition of National Affairs.....	92	Cravens,	130, 131	133	563		
8	A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage of a Homestead Bill.....		Landers,	133	134	328		
9	A joint resolution requiring the Treasurer of State to issue circulars calling on the several county treasurers of the State to forward to that officer the revenue of the State in their hands.....	188	Jones,	188	189	203	215	
10	A joint resolution providing for the appointment of Commissioners to a Border State Convention.....	195	Wolfe,	195				
11	A joint resolution appointing Commissioners to a Border State Convention.....	197	Ray,	197				
12	A joint resolution proposing an amendment to the 23rd section, article 4th of the Constitution, so as to provide for laws enabling cities, townships and town to raise money for the support of Common Schools.....	238	March,	239	239	496		
13	A joint resolution making an appropriation for the relief of the destitute sufferers in Missouri and Kansas.....	493	Conley,					
14	A joint resolution requiring the Secretary of State to index the Local Laws of the State from 1830 to 1852.....	496	Teegarden,	573				
15	A joint resolution proposing an amendment to the 8th section of article 8 of the Constitution, so as to make the Superintendent of Public Instruction elective every four years.....	520	Miller,	520				

16	A joint resolution authorizing the State Librarian to make and publish a Catalogue of the Indiana State Library for the years 1861 and 1862, and to procure the necessary book-binding for the State Library.....	851	Anthony,	851	
18	A joint resolution ratifying an amendment proposed by Congress to the Constitution of the United States.....	877	Newcomb,	877	
19	A joint resolution rescinding the contract entered into on the 8th day of June, 1860, by and between the Board of Control to superintend the construction of the Prison north of the National Road in the State of Indiana, and William H. Talbott and Francis Costigan, partners under the style of Talbott & Co., for furnishing materials and doing certain work toward the construction of said Prison.....	950	Mellet,	951	970

JOINT RESOLUTIONS OF THE HOUSE.

Number.	TITLES.	Reported from the House.	Proceedings thereon.	Passed Senate.	Subsequent Pro- ceedings.
7	A joint resolution on Pensions to Soldiers of the War of 1812.....	168	169	169	199
8	A joint resolutions instructing and requesting our Representatives in Congress to so legislate as will give to each actual settler on public lands 160 acres of land.....	168	169	170	
9	A joint resolution in regard to postage, pay, and mileage of members and officers of the General Assembly.....	98	99	99	173
11	A joint resolution on the free navigation of the Mississippi river.....	168	170		
22	A joint resolution of the House on amending the Constitution of the State of Indiana.....	582	582		
23	A joint resolution directing the Auditor and Secretary of State to distribute Statutes, Laws, Reports and other public documents to the county of Newton and other newly organized counties.....	168	168	168	251
29	A joint resolution authorizing the Governor to appoint Commissioners to meet those sent by other States in Convention to consider the State of the Union.....	219	220, 221	222	233
31	A joint resolution to provide for the appointment of a Commission to investigate and report on the Fiscal Affairs of the State.....	582	582	609	
32	A joint resolution instructing our Senators and requesting our Representatives in Congress to endeavor to procure an appropriation for the improvement of the Harbor of Michigan City.....	582	582	967	
34	A joint resolution in relation to the publication of the Reports of the State Board of Agriculture.....	732	732	732	736
35	A joint resolution directing and requiring the Attorney General to bring suits upon the official bonds or otherwise against the State Officers for the fees and perquisites by them collected and not paid into the State Treasury, as required by law.....	967	967	967	

RESOLUTIONS OF THE SENATE.

1071

SUBJECT MATTER.		Introduced.	By what Senator.	Proceedings thereon.	Adopted.
Informing the House of the organization of the Senate.		8	Slack.....		8
Referring, without debate, to the Committee on Federal Relations, all matters pertaining to national affairs introduced in the Senate.		8	Wagner.....	89	10
Adopting the rules of the last Senate for the government of the present.		10	Johnston.....		10
Appointing a Committee to examine the rules of the last Senate, and to amend if necessary.		11	Line.....		11
Requiring the Doorkeeper to place on the desks of Senators the Journals and Revised Statutes.		11	Line.....		11
Appointing a Committee to wait upon the Governor.		11	Conley.....		11
Instructing the Doorkeeper to provide seats for Reporters, inside the Bar.		12	Turner.....		12
Appointing a Committee relative to procuring Stationery for the Senate.		13	Anthony.....		13
Appointing a Committee to procure the services of a Clergyman.		13	Murray.....		13
Relative to the State Prison North.		14	Conner.....		14
Relative to the office of State Printer.		14	Newcomb.....		14
Relative to national affairs.		14	Lomax.....	11	14
Instructing the Doorkeeper to contract for certain Newspapers.		14	Cobb.....	15	15
Instructing the Doorkeeper to procure stamps for Senators.		15	Slack.....		15
Inviting the Clergy of Indianapolis to open each day's session of the Senate with prayer.		15	Turner.....	15	15
To adjourn over.		29	Slack.....	29	29
Relative to the State Printing.		29	Johnston.....		29
Relative to reorganizing the Militia.		29	Murray.....		29
Relative to amending the Temperance law.		29	Hull.....	29	29
Directing the printing of the Governor's Message.		29	O'Brien.....	30	30
Relative to procuring Stamps for the elective officers of the Senate.		30	Anthony.....		30
Relative to the late Governor Ashbel P. Willard.		34	Slack.....		35
Directing the printing of the report of the Directors of the Northern Prison, and the report of the Commissioners relating to the suspended debt of the State.		35	Jones.....		35
Relating to Agricultural Societies.		36	Murray.....	36	36
Appointing the Standing Committees of the Senate.		36	Anthony.....	36, 37, 38	36
Directing the laying of certain Reports upon the desks of Senators.		39	Tarkington.....		39
Relative to newspapers for the Senate.		44	Newcomb.....	41	
Relative to the same subject.		45	Conley.....	45	
Granting James Sutherland and J. A. Berry access to the floor of the Senate.		49	Turner.....		49
Relative to Stationery for the General Assembly, and employing a Reporter.		49	Wagner.....		49
Relative to amending the Constitution of the State.		50	Line.....	50	50
Upon national affairs.		58	Murray.....	61	
Respecting procurement of Stationery.		61	Anthony.....	62	62

RESOLUTIONS OF THE SENATE—Continued.

1072

SUBJECT MATTER.		Introduced.	By what Senator.	Proceedings thereon.	Adopted.
Instructing the Doorkeeper to procure certain newspapers	64	Slack	64		67
Requiring Secretaries and Doorkeepers to report the number and duties of their assistants.	67	Mellet			67
Relative to the non-procurement of stamps by the Doorkeeper.....	67	Slack.....			67
Respecting the dam across Calumet River, at Blue Island.....	67	Turner.....			67
Respecting the presentation of claims to the Committee on finance.....	67	Beeson.....			67
Appointing a Committee to examine the office of the Auditor of State.....	67	Tarkington			67
Appointing a Committee to district the State for Senatorial and Representative purposes.....	68	Williams.....			68
Relative to amending the School law.....	68	Murray.....			68
Instructing Judiciary Committee to inquire concerning proceedings supplementary to execution.....	68	Ferguson			68
Tendering thanks to Hon John R. Cravens.....	68	Line.....			68
Instructing Committee on Federal Relations to report back a memorial and joint resolution.....	69	Slack.....	69, 70		68
Requiring the Doorkeeper to purchase stamps for the President of the Senate.....	70	Bearss.....			70
Allowing Stationery to the Reporters.....	71	Murray.....			71
Respecting establishing a House of Refuge.....	71	Blair.....			71
Respecting election of United States Senator.....	81	March.....	81		81
Instructing the doorkeeper to procure the mail matter for the Senate.....	81	Slack.....			81
Relative to rates postage on public documents.....	81	Line.....	82		82
Inviting Col. John Vawter and soldiers of war of 1812 within the bar of the Senate.....	82	De Hart.....			82
Relative to the election of a United States Senator.....	82	Cravens.....	83		84
Respecting newspapers for Senators and officers of the Senate.....	85	Slack	85, 89		91
Relative to national affairs, (amendment to Senate joint resolution No. 7).....	92	Murray.....	92		91
Respecting same subject, do do do	93	Tarkington	93		
Ordering Governor Hammond's Message, and Governor Lane's Inaugural to be printed.....	99	Turner.....	99		
Relative to the expediency of altering the law relating to the collection of taxes.....	100	Shields.....	100		100
Inquiring into the expediency of amending the Free Banking Law	100	Newcomb.....	100		100
Requesting the Committee on the State Prison to visit the site of the Northern Penitentiary.....	101	Wolfe.....	101		101
Respecting a claim due from the Federal Government to the State of Indiana.....	101	Line.....			101
Relative to stock killed by railway carriages and providing a more perfect remedy.....	102	Cobb.....	102		
To inquire into the expediency of prohibiting railroad companies from obstructing streets and highways.....	106	Bearss.....			106
Respecting special terms of the Circuit Courts.....	106	Wolfe.....			106
Respecting protection of the wool growing interest of the State.....	106	Murray.....			106
To adjourn over.....	106	Anthony	106		107
To inquire into the expediency of numbering the Common Pleas Districts.....	107	Miller.....			107
To inquire what legislation is necessary with reference to the election of United States Senators.....	107	Dickinson.....			107
To inquire into the expediency of amending the school law.....	107	Johnston.....			107

Instructing the Doorkeeper to procure and distribute to the Senate public Documents.....	107	Jones	107
To inquire respecting the existence of a law loaning the school fund arising from estates without heirs.....	108	Johnston	108
To prevent smoking in the lobbies.....	108	Beeson	108
Instructing the Committee on State Prison to visit Michigan City, &c.....	108	Wagner	109
Appointing a Committee of five for the same purpose, (amendment to Wagners).....	109	Conner	109
To inquire into the expediency of making owners of stock running at large responsible.....	115	Murray	115
Relative to collecting debts in the township where the debt was contracted.....	115	Teegradea	115
Requesting the Auditor and Treasurer of State to inform the Senate of the amount expended in Benton County, for ditching Swamp lands.....	122	Wagner	122
Requesting the President of the Bank of the State to report to the Senate the necessity for legislation, if any, to increase its circulation for the relief of the people.....	122	Tarkington	122
Instructing the Committee on Roads to alter the law relating to the change of highways.....	122	Line	122, 123
To adjourn over.....	124	Slack	124
Requesting the Auditor of State to report relative to the Common School Fund.....	125	Beeson	125
Inquiring into the expediency of increasing the Common School Fund.....	125	Odell.....	125
To go into of State Printer.....	126	Newcomb.....	126
Instructing and requesting our Representatives in Congress to secure the passage of a homestead bill.....	126	Landers	126
To inquire into the expediency of amending the revenue law, &c.....	127	Johnston	127
To inquire into the expediency of amending the law respecting the removal, resignation or death of the Gov. error, &c.....	127	Stone	127
Respecting the law for the change of highways, &c.....	127	Murray	127
Inquiring into the expediency of amending the revenue laws.....	127	Johnston.....	128
To inquire into the expediency of providing an asylum for inebriates.....	128	Stone	128
Relative to national affairs.....	131	Ray	131
Relative to employing an architect to assist in investigating affairs of the Northern Prison.....	138	Bears	138, 139
Inquiring into the expediency of changing the law authorizing County Recorders to issue fee bills.....	140	Turner.....	140
Inquiring into the expediency of providing by law for replenishing the treasury.....	147	Jones	147
Relative to allowing County Commissioners to discharge from jail persons unable to pay fines and costs, by reason of insolvency.....	148	O'Brien	148
Requesting the Trustees of the Indiana University to report the condition of the University Fund.....	148	March.....	148
Relative to amending the act granting divorces, &c.....	148	Cravens	148
Relative to abolishing the Grand Jury system of information in Courts of Justice.....	159	Conley	159
Relative to changing the law in reference to the issuing of marriage licenses.....	159	Stone	159
Relative to the expediency of amending the school law.....	159	Shoulders	159
Relative to making the recognizances of securities a lien upon the real estate of such security.....	159	Wilson.....	159
Relative to fixing, by law, a specific salary for county officers and Clerks of Courts.....	159	Grubb	160
Requesting the Judges of the Supreme Court to give opinions respecting bills designed to prevent frauds in elections, &c.....	160	Newcomb	160
Relative to the amount of money paid for extra services to the State Board of Agriculture.....	161	Robinson	161
Appointing a select committee relative to a house of refuge.....	161	Dickinson	161
Inquiring into the expediency of abolishing the Common Pleas Courts, &c.....	163	Conley	163
To adjourn over.....	175	Steele.....	175
Inquiring into the expediency of changing the law requiring transfer of deeds prior to recording them.....	176	Turner	176
Granting leave of absence.....	177	Conley	177
Directing Committee on State Prison to investigate the contract relative to Northern Prison.....	177	Anthony	177
Relative to the distribution of the interest of the Sinking Fund.....	178	Johnston	178
Relative to township assessors, &c.....	178	Johnston	178
Directing the Secretary of the Senate to deliver bills to the Committee on Phrasology.....	179	Wagner.....	179
Respecting delinquent taxa, &c.....	179	Wilson.....	179

RESOLUTIONS OF THE SENATE—Continued.

SUBJECT MATTER.	Introduced.	By what Senator.	Proceedings thereon.	Adopted.
Relative to adjourning over.....	179	Conley		179
Requiring county treasurers to pay over revenue.....	194	Shields.....		194
In reference to appointing Commissioners to the Peace Conference.....	194	Landers	194	194
Requesting the Treasurer of State to report respecting the revenue of the State.....	194	Beeson		194
Inquiring into the expediency of enlarging the Hospital for the Insane.....	196	Teegarden.....		196
Relative to the bonds held as security for the circulation of the Free Banks.....	197	Murray		197
Authorizing the collecting of moneys paid by county treasurers for insane persons.....	197	Wilson.....		197
On the State of the Union.....	198	Murray.....	198	198
Relative to railroads.....	204	Tarkington		204
Inviting the Legislatures of Ohio, Kentucky and Illinois, to visit the General Assembly.....	204	Beeson		204
Inquiring into the expediency of reporting amendment to the School Law.....	209	Murray.....		209
Requiring Committee on Federal Relations to report Joint Resolution appointing Commissioners to Washington.....	209	Lomax	210	210
Requesting the Treasurer of State to report respecting the suspended debt of the State.....	210	Beeson	210	210
Relative to the distribution of the interest of the Sinking Fund.....	212	Cravens.....		212
Relative to the sessions of the Senate.....	213	Tarkington	213, 230	231
Relative to the Order of Business.....	213	Blair	213, 227	228
Instruction of the Doorkeeper to purchase postage stamps.....	229	Conley	230	230
Instruction of the Committee on Finance to ascertain the State indebtedness.....	230	Murray.....		230
Directing the Committee on State Library to examine accounts of the State Librarian.....	231	Anthony		231
Instruction of the Committee on Education to inquire into the propriety of amending School Law.....	231	Claypool.....		231
Directing the Architect of Northern State Prison to demand papers from the Commissioners.....	232	Beeson	232	232
Requesting the Committee on the Organization of Courts to inquire into the expediency of amending the law relative to decedents' estates.....	232	Conley		232
Authorizing the Committee on Education to employ a clerk.....	232	Conley		232
Requesting the Committee on Temperance to inquire relative to penalties for violation of the Liquor Law.....	233	Miller		233
Instruction of the Committee on the Judiciary to inquire and report the State's liability to refund money paid by friends of insane persons for their support in 1857.....	233	Hull.....		232
Instruction of the Committee on Printing to inquire respecting letting the public printing, &c.....	244	Jones		244
Appointing a Committee to district the State for legislative purposes.....	244	Murray.....		244
Instruction of the Committee on Education to inquire into the expediency of amending School Law.....	276	Mellett.....		276
Instruction of the Committee on Agriculture to report to the Senate the average cost to the State of the publication and transportation of the Indiana Agricultural Reports.....	277	Studabaker		277
Instruction of the Committee on the Indiana Agricultural Reports.....	287	Murray.....		287
Instruction of the Committee on County and Township Business to inquire into the expediency of amending the law for the collection of taxes.....	298	Shields.....		298

Inviting the Ohio Committee of escort to Mr. Lincoln to visit the Senate Chamber.....	310	Turner.....	311
Instructing the Committee on Agriculture to inquire into the expediency of purchasing the Geological Collections and Chemical Apparatus of late David Dale Owen.....	311	Carnahan.....	311
To adjourn over.....	314	Anthony.....	314
Appointing a Committee to accompany Mr. Lincoln to Ohio.....	317	Conner.....	317
Requesting the Auditor of State to report respecting payment by the State Treasurer of interest.....	318	Robinson.....	493
Instructing the Judiciary Committee to inquire into the expediency of fixing a uniform price for publishing the delinquent tax list.....	493	Bearss.....	496
Instructing the Judiciary Committee to inquire in the expediency of amending law for the prevention of dueling.....	496	Conley.....	497
Appointing a Committee relative to the arrangement of desks of Senators.....	497	Line.....	497
Requesting the Committee on Banks to examine laws relative to interest taken by Banks and report.....	497	Landers.....	497
Relative to the Brevier Reports.....	497	Miller.....	497
Relative to amending law respecting guardians and administrators.....	497	Murray.....	497
Appointing a Committee to consider propriety of reporting a bill for gradual liquidation of State debt.....	497	Lomax.....	497
Relative to furnishing oysters for the Senate.....	498	Claypool.....	498
Requesting the Auditor of State to report the amount of warrants issued on the Colonization Fund.....	498	Newcomb.....	498
Relative to the passage of a law transferring University Fund mortgages to the Sinking Fund Commissioners.....	499	Johnston.....	499
Requiring Senators to speak no longer than twenty minutes.....	499	Beeson.....	499
Relative to publishing the Laws in county papers.....	499	Turner.....	499
Relative to passing a law transferring the location of highways to Township Trustees.....	499	Murray.....	499
Relative to abolishing the office of township assessor.....	499	Miller.....	499
Respecting number of sessions per day of the Senate.....	503	Murray.....	504
Appointing a Joint Committee to district the State for Congressional purposes.....	505	March.....	505
Relative to legislation to carry into effect the act relative to the salaries of public officers.....	540	Line.....	540
Requiring the Assistant Secretary to make complete record of all motions, rulings of the Chair, &c.....	552	Line.....	552
Relative to making a complete record in case of final settlement of executors and administrators.....	587	Line.....	587
Appointing a Committee to examine safes and vaults of State Treasury Department.....	587	Miller.....	587
Relative to remitting funds to defray expenses of the Peace Commissioners at Washington.....	592	Conner.....	593
Relative to the expediency of reducing the number of Senators and Representatives.....	607	Lomax.....	607
Relative to the Sessions of the Senate.....	607	Carnahan.....	607, 640
Instructing Judiciary Committee to inquire whether negroes and mulattoes are embraced in the Census Report for apportionment purposes, and relative to apportioning Senators and Representatives.....	624	Jones.....	624
Abolishing the office of State Printer and requiring State Officers to contract with Elder & Harkness.....	670	Tarkington.....	670
Requesting Attorney General to report if there is any defect in the act relative to salaries of public officers, relative to compromise, coercion, members of the Senate, Mr. Lincoln, &c.....	705	March.....	705
Instructing the Doorkeeper to purchase postage stamps.....	707	Wolfe.....	707
Restricting Senators to five minutes speeches.....	723	Cobb.....	723
Requesting the Auditor of State to report the amount spent yearly by Colonization Board, &c.....	723	Conley.....	723
Respecting the time of passing bills and presenting them to the Governor for his approval.....	766	March.....	766
Respecting the Brevier Reports.....	793	Conley.....	793
Relative to the election of Trustees and the President of the Board for the Benevolent Institutions.....	793	Line.....	793
Directing the Committee on State Prison to abridge the evidence taken before them at present session.....	800	Blair.....	800
Relative to the expediency of amending the revenue law.....	814	Wagner.....	814
Relative to binding Laws, Journals and Brevier Reports, and forwarding same to Senators and Officers.....	814	Campbell.....	814
In relation to the contract of Talbott & Costigan building Northern State Prison.....	845	Line.....	845
Relative to the same matter.....	845, 870	Mellett.....	845, 870
Instructing Judiciary Committee to report back House bill No. 46.....	846, 870	Wagner.....	846, 870
	871	Johnston.....	871

RESOLUTIONS OF THE SENATE—Continued.

TITLES.	Introduced.	By what Senator.	Proceedings thereon.	Adopted.
Requiring Officers of the Senate and Committees to report number and names of Assistants..... Requiring Doorkeeper to report amount expended and articles purchased for the use of the Senate..... Tendering the thanks of the Senate to Hon. John B. Cravens..... Relative to printing the testimony taken before the Prison Investigating Committee..... Requiring a Select Committee to return House bill No. 122..... Tendering the thanks of the Senate to the Secretaries and Doorkeepers and their Assistants..... Relative to the Northern State Prison contracts..... Relative to binding Journals and Laws for use of Senate..... Relative to same matter..... Relative to printing the testimony before, and report of, of the Prison Investigating Committee..... Relative to the memory of Hon. Rufus Brown..... Relative to the memory of Hon. Isaac A. Rice..... Relative to the same subject..... Directing the Doorkeeper to return copies of Statutes and Journals to the Library..... Requesting Secretary of State to have bound Reports of Auditor and Treasurer of State..... Tendering use of the Senate Chamber to the Baptist Church..... Directing the Librarian to take up the Carpet..... Directing the Secretary to inform House that the Senate had completed its business..... Directing the Auditor of State to draw his warrant in favor of C. W. Cochran.....	896 899 907 959 959 962 985 985 985 985 991 993 993 993 993 994 995 995 995 996 997	Slack..... Conley..... Hamilton..... Bearss..... Steele..... Murray..... Murray..... Studabaker..... Miller..... Claypool..... Miller..... Campbell..... Williams..... March..... Tarkington..... Newcomb..... Life..... Line..... Bearss.....	896 899 958 959 962 985 985 985 985 991 993 993 993 994 995 995 995 996 997	896 899 958 959 962 985 985 985 985 991 993 993 993 994 995 995 995 996 997

ERRATA.

- Page 82—Line 18, for "joint" read "concurrent."
" 253—Immediately after the word "negative," read "so the bill passed."
" 464—Line 25, for "No. 167," read "No. 177."
" 515—Line 10, for "No. 199," read "No. 169."
" 543—After figure 2, last line, read "So the rules were suspended, and."
" 573—Line 12, for "No. 74," read "No. 14."
" 610—Line 3, after word "adopted," read "It was agreed to."
" 664—Line 13, for "No. 245," read "No. 54."
" 690—Line 10, for "Corporations," read "Organization of Courts."
" 709—For "Mr. Wagner moved a call of the Senate," read "On motion by Mr. Wagner a call of the Senate was ordered."
" 745—Line 2, for "No. 238," read "No. 328."
" 747—Line 35, for "passed," read "Ordered."
" 753—Line 21, for "Senate," read "House."
" 810—Line 18, for "Insane," read "Unsound."
" 815—Lines 10 and 12, for "occurring," read "recurring."
" 826—Line 22, for "Senate," read "House."
" 865—Line 3, for "Senate," read "House."
" 867—Line 30, for "Senate," read "House."
" 897—Line 12, for "Senate," read "House."
" 903—In the title of House bill No. 185, before the word "several," insert the words "numbering the."
" 948—Line 3, for "Senate," read "House."
" 970—Line 26, for "A message from the House," read "Mr. Berry from the Committee on Enrolled Bills made the following report."
" 982—Line 36, for "House," read "Senate."









